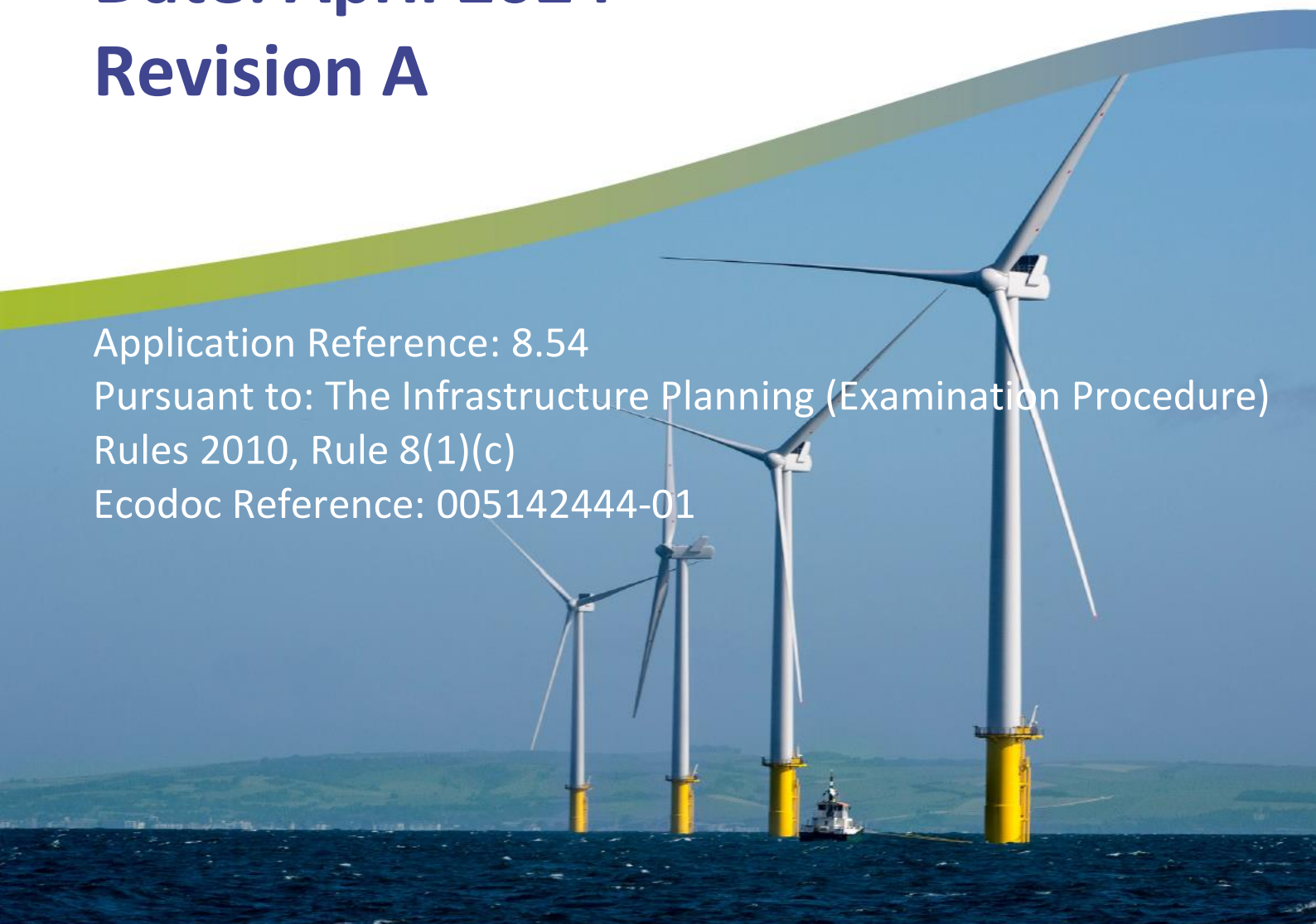


Rampion 2 Wind Farm

8.55 Applicant's Response to Deadline 2 Submissions

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Executive Summary

At Deadline 2 of the Examination for Rampion 2 Offshore Wind Farm Project, Interested Parties submitted further information into the Examination. A total of 42 Deadline 2 submissions were received from 30 Interested Parties.

Rampion Extension Development Limited (the 'Applicant') has taken the opportunity to review each of the submissions received from Interested Parties. This document provides the Applicant's responses and has been submitted for Examination Deadline 3.

1. Introduction

1.1 Project overview

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

1.2 Purpose of this document

- 1.2.1 At Deadline 2 (25 March 2024), a number of Interested Parties provided the Examining Authority with further submissions which included:
- Four submissions from Local Planning Authorities;
 - Two submissions from parish and towns councils and Members of Parliament;
 - Eight submissions from prescribed consultees;
 - 20 submissions from affected parties, and members of the public or businesses; and
 - Eight submissions from non-prescribed organisations.
- 1.2.2 The Applicant has taken the opportunity to review each submission received into the Examination at Deadline 2 and this document provides the Applicant's responses to the Deadline 2 submissions.

1.3 Structure of the Applicant's Responses

- 1.3.1 Each section below includes the Applicant's responses to the submissions received from Interested Parties at Deadline 2. For affected parties, and members of the public and businesses, the responses are provided by theme of comment rather than providing a separate response for each submission to avoid repetition where possible. Each submission is identified in the relevant table in this category where that Interested Party has raised a comment on that topic. Each response is identified in the relevant table:
- **Section 2: Local Planning Authorities:**
 - ▶ South Downs National Park Authority: **Table 2-1**;
 - ▶ Horsham District Council: **Table 2-2.**; and
 - ▶ West Sussex County Council: **Table 2-3.**;

- **Section 3:** Parish Councils:
 - ▶ Shermanbury Parish Council: **Table 3-1**; and
 - ▶ Washington Parish Council: **Table 3-2**.
- **Section 4:** Prescribed consultees:
 - ▶ Natural England: **Table 4-1**, **Table 4-2**, **Table 4-3**, **Table 4-4** and **Table 4-5**;
 - ▶ Marine Management Organisation: **Table 4-6**; and
 - ▶ National Highways: **Table 4-7**.
- **Section 5:** Affected parties, members of the public and businesses:
 - ▶ Stewart Dench: **Table 5-1**; and
 - ▶ Vodafone: **Table 5-2**.
- **Section 6:** Themed responses:
 - ▶ Transport: **Table 6-1**;
 - ▶ Oakendene substation: **Table 6-2**;
 - ▶ Ecology: **Table 6-3**;
 - ▶ Consultation: **Table 6-4**;
 - ▶ Alternatives: **Table 6-5**; and
 - ▶ General: **Table 6-6**.
- **Section 7:** Non-prescribed consultees:
 - ▶ Littlehampton Harbour Board: **Table 7-1**;
 - ▶ CowfoldvRampion: **Table 7-2**, **Table 7-3** and **Table 7-4**;
 - ▶ Middleton on Sea: **Table 7-5**; and
 - ▶ Protect Coastal Sussex: **Table 7-6**.

2. Applicant's response to Local Planning Authorities Deadline 2 submissions

Table 2-1 Applicant's response to South Downs National Park Authority's Deadline 2 submission

Ref	Deadline 2 Submission	Applicant's Response
Response from the South Downs National Park Authority to the Applicant's Deadline 1 Submissions		
2.1.1	<p>1. <u>Summary</u></p> <p>1.1 The South Downs National Park Authority's (SDNPA) response comprises detailed comments on the submissions made by the Applicant at Deadline 1 in respect of:</p> <ul style="list-style-type: none"> Action Point 3 (Fawley and Dungeness) [REP1-019] Action Point 27 (South Downs National Park) [REP1-024] SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037] 	The Applicant has no further comments on this matter at this time.
2.1.2	1.2 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]	
2.1.3	1.3 The SDNPA and Applicant have been in dialogue following ISH1, in order to identify areas of agreement and potential steps to resolve ongoing areas of concern. We will continue to engage with the applicant to progress the Statement of Common Ground and seek to reduce the number of Principle Areas of Disagreement.	The Applicant will continue to engage with South Downs National Park Authority to seek to resolve ongoing areas of concern and reduce the number of Principle Areas of Disagreement.
2.1.4	<p>2. Action Point 3 – Fawley and Dungeness</p> <p>2.1 The SDNPA welcomes the further information provided as to why Fawley has been discounted, as this information has been requested throughout the pre-application process and reiterated at paragraph 6.6 of the SDNPA's Local Impact Report [REP1-049]. The additional information, however, raises a number of additional concerns including why the feasibility of the alternative route to Fawley in particular was not revisited once the constraints associated with the selected option were realised.</p>	<p>The Rampion 2 options appraisal process and EIA process spans a number of years as is usual for large infrastructure developments. Fawley was discounted at an early stage by the Applicant in this process as not presenting a reasonable grid connection alternative for several reasons. The contributing factors included technical constraints with regard to the significance of the vessel traffic in the associated offshore approaches to the site and the expected high presence of unexploded ordnance (UXO). Significant environmental constraints of international and national importance are also unavoidable with this option with offshore approaches to the site and within the onshore search area for a new substation. The option was also assessed as not being economically viable by a significant margin, and overall did not present a viable alternative to development taking place within the South Downs National Park (SDNP). The National Grid Connection and Infrastructure Options Note (CION) process and options appraisal also both found Bolney to best meet the National Grid Energy System Operator's obligation to provide an economic and efficient grid connection, due to the lower constraint and construction costs. When compared to the other grid connection options appraised during the early high level options appraisal process, for these reasons this site was not selected.</p>
2.1.5	<p>2.2 For example, in paragraph 1.3.8, where the applicant considers the effects of the constraints associated with connecting at Fawley:</p> <p><i>"Managing this safe operation of the navigable water in this busy area would have knock on impacts in terms of scheduling, coordinating with third party vessels, port authorities. In comparison to the selected option this would be complex and entail additional costs".</i></p> <p>This decision was reached in 2020, well before the technical constraints linked to multiple landowners, the amount of onshore trenchless crossing required within sensitive areas and the significant complications associated with areas of potentially nationally significant archaeology were understood.</p>	<p>The constraints described associated with the Fawley option at the early stage of the appraisal process were considered to present significant risk to the viability of the project when compared to the selected option at Bolney. During the design evolution and EIA process, this risk level was considered to remain significantly higher than the selected option and therefore it was not revisited and pursued any further.</p>

Ref	Deadline 2 Submission	Applicant's Response
2.1.6	2.3 At paragraph 1.3.11, the Applicant makes reference to The Crown Estate's Cable Route Protocol. Whilst it is accepted and appropriate that this Protocol is an important consideration, it does not take into account the onshore impacts when identifying an appropriate route. Therefore, it is considered this is an incomplete assessment when assessing alternatives – the offshore impacts should not be looked at in isolation, nor should they be considered of any greater or lesser importance than those onshore.	The Crown Estate's Cable Route Protocol is mentioned in paragraph 1.3.11 as it provides overarching guidance and requirements relevant for an approach to a grid connection from an offshore wind array. In the case of the Fawley option, Principle 3 which places emphasis on avoiding impacts on protected sites is of particular relevance given the presence of the European sites that would need to be crossed by an export cable corridor to Fawley. As demonstrated through the further detail provided in paragraph 1.3.12 and 1.3.13 of the Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 1 - Further information for Action Point 3 – Fawley and Dungeness [REP1-019], onshore constraints were also considered, as they have been for all other grid connection options within the Chapter 3: Alternatives, Volume 2 of the Environmental Statement [APP-044]. Considering the constraints presented with the Fawley option overall, the location of the most significant constraints presented happen to be offshore, however the Applicant has considered both onshore and offshore constraints.
2.1.7	2.4 In paragraph 1.3.12 it is stated that HDD would need to be launched from a site within the New Forest National Park and exit within the Solent and Southampton Water Special Protection Area (SPA). At paragraph 1.3.13, the impacts on the international level environmental designations and the potential impact on the New Forest National Park are cited as reasons for why connection to the Fawley substation was discounted. Whilst it is noted that the SPA is not affected as part of the selected route, Sites of Special Scientific Interest are impacted directly by HDD, as well as several other environmental designations onshore. In discounting options to connect at Fawley early on in order to avoid impact on an international site before exploring whether the integrity of the site could be preserved (and/or cost, as has also been stated by the Applicant), it has given rise to a potentially equally damaging or worse alternative within another nationally significant habitat and its irreplaceable habitats. Given the significant and widespread impact on the South Downs National Park as well as other designated sites, the SDNPA suggest that the high-level assessment to discount the option to connect at Fawley is revisited so that parties involved can understand and properly consider the matter.	The assertion from South Downs National Park Area (SDNPA) that Sites of Special Scientific Interest (SSSIs) are impacted directly by horizontal directional drilling (HDD) is incorrect. The HDD at landfall avoids direct impacts on the Climping Beach SSSI with further mitigation also provided here and at HDDs crossing other environmentally sensitive sites. Please see the Applicant's response to the Examining Authority's Written Question COD 1.1 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document Reference 8.54). The Applicant refers to the information previously provided in Deadline 1 Submission – 8.25.1 – Applicant's Post Hearing Submission – Issue Specific Hearing 1 – Appendix 1 – Further Information for Action Point 3 – Fawley and Dungeness [REP1-019] , including the outcome of the parallel Connections and Infrastructure Options Note (CION) process led by National Grid Electricity System Operator (NGESO), plus the need for an onshore substation within the New Forest National Park.
2.1.6	2.5 The consideration of the Dungeness option appears to be even less comprehensively considered. This option had not been presented as an alternative during the pre-application process.	The Rampion 2 options appraisal process and EIA process spans a number of years as is usual for large infrastructure developments. Dungeness was considered and discounted at an early stage by the Applicant in this process as not presenting a reasonable grid connection alternative for several reasons which are outlined in paragraphs 1.3.16 to 1.3.22. The Dungeness option was also not considered by National Grid in Connections and Infrastructure Options Note (CION) process to be a reasonable alternative for the project.
2.1.7	3 Action Point 27 – The South Downs National Park [REP1-024] 3.1 Overarching commentary on the Applicant's approach to developing in the SDNP is discussed in more detail within the SDNPA's Written Representation and Local Impact Report (References REP1-049 and REP1-052).	The Applicant refers to the detailed responses to the South Downs National Park Authority's submissions in Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions [REP2-024] .
2.1.8	3.2 In summary, we maintain there is a significant and substantial change to the breathtaking views encapsulated by Special Quality 1 which, in itself, is an overarching Quality of which the remaining six	It is the Applicant's position that while there are significant effects to 'panoramic views to the sea' forming part of to SQ1 "Diverse, inspirational landscapes and

Ref	Deadline 2 Submission	Applicant's Response
	<p>support. This is reflected in the infographic at fig.1 of the SDNPA's LIR and in paragraph 1.9 and 1.10 of the South Downs Local Plan (Appendix APP-036), which states "The special qualities do not sit in isolation, but are interconnected and mutually reinforcing...Landscape is the key to all of the special qualities". The SDNPA disagrees that the effects on this Special Quality are not of a high magnitude and is considered in more detail in Appendices A and C of REP1-052.</p>	<p>breathhtaking views" (during construction and operation), the statutory purpose of the South Downs National Park (SDNP) would not be compromised by the Proposed Development. Therefore, the Proposed Development accords with the requirements of the legal tests and the policy tests set out in the National Policy Statement (NPS) in relation to the SDNP.</p> <p>The Applicant notes the infographic at fig.1 of the South Downs National Park Authority's (SDNPA's) Local Impact Report (LIR) and paragraph 1.9 and 1.10 of the South Downs Local Plan, but would note that the offshore elements of the Proposed Development are located outside the SDNP and while affecting panoramic views to the sea, will not result in any direct changes to the physical features of the SDNP's diverse landscapes or its chalk geology, which underpins the special quality. The majority of Special Quality 1 describes physical features of the SDNP's diverse landscapes (geology, land use, habitats) and only part of the special quality relates to 'breathhtaking views', that are affected. The diversity of landscapes of the SDNP, expressed through wooded and heathland ridges of the western Weald, its wide, open chalk downlands, river valleys, hidden villages, market towns and estates, will all remain definitive to its character and diversity.</p> <p>The Applicant considers a significant effect on one particular aspect ('panoramic views to the sea') of a defined special quality of the SDNP does not equate to compromising the designation's statutory purpose. The Applicant draws the Examining Authority's attention to several examples of existing permitted infrastructure, including East Anglia TWO offshore wind farm, Awel y Môr offshore wind farm and Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project, for which it was the conclusion of the Examining Authority and Secretary of State that harms resulting from these projects on the special qualities of a National Landscape would not compromise the purposes of the relevant AONB designations affected. These are a useful benchmark to informing the approach to concluding on the impact upon special qualities and whether the statutory purposes of the designation are compromised.</p>
2.1.9	<p>3.3 As suggested at ISH1, there is no evidence that the mitigation proposed (for example in paragraph 1.3.37 of REP1-024) has taken into account the high status the National Park is afforded; this mitigation would need to have been applied regardless of its location in the National Park. Similarly, at paragraph 1.3.46, it is understood that the commitment to delivering ecological mitigation and biodiversity net gain would not necessarily be within the National Park and so it is not true to say that this would contribute to the Special Qualities. The SDNPA would expect to see mitigation measures specific to the SDNP, which demonstrates how it conserves, enhances and seeks to further the National Park Purposes</p>	<p>The Applicant notes that the mitigation proposed within the DCO Application is specific to the features within the South Downs National Park and serves to conserve them. Further discussions are ongoing with the South Downs National Park Authority regarding potential Section 106 contributions that would enhance or further the purpose of the South Downs National Park with publication of Draft Heads of Terms for S106 Agreement with South Downs National Park Authority (Document reference 8.58) at Deadline 3. Regarding Biodiversity Net Gain, please see the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference 8.54) reference BD 1.9 submitted at Deadline 3.</p>
2.1.10	<p>3.4 There are also instances demonstrated in the pulling together of these comments from across chapters of the Environmental Statement that the wrong test has been applied in respect of assessing the impacts. For example, at paragraph 1.3.57 and 1.3.100, where it is suggested that as the Proposed Development occupies a relatively small area of the SDNP overall, the impacts are reduced. The SDNPA</p>	<p>The Applicant clarifies that these conclusions apply both within the proposed DCO Order Limits and within the wider context of the South Downs National Park. The temporary effects during construction are subject to the mitigation referred to (see Deadline 1 Submission – 8.25.5 – Applicant's Post Hearing Submission – Issue Specific Hearing 1 - Appendix 5 – Further information for Action Point</p>

Ref	Deadline 2 Submission	Applicant's Response
	disagrees with this approach and considers the effect of the Proposed Development on the Special Qualities should be assessed within the Order Limits and study area, which are much more focussed.	27 – South Downs National Park [REP1-024] which would lead to no harm on the Special Qualities these paragraphs relate to, namely Special Quality 2: A rich variety of wildlife and habitats including rare and internationally important species and Special Quality 5: Great opportunities for recreational activities and learning experiences.
2.1.11	<p>4 <u>SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]</u></p> <p>4.1 Commentary relating to the SLVIA Maximum Design Scenario and Visual Design Principles are contained within the following SDNPA written representation document:</p> <ul style="list-style-type: none"> • SDNPA Written Representation [REP1-052] <ul style="list-style-type: none"> ○ Sections 3.2.4 and 3.4.6 ○ SDNPA Written Representation Appendix A ○ Design Principles: Sections 6.1 – 6.9 and 13.8 ○ Maximum Design Scenario: Sections 3.2, 4.2, 4.4, 5.4, 6.6, and 6.9. <p>In light of the additional information in the Applicant's Clarification Note [REP1-037], the SDNPA would like to add the following commentary.</p> <p>Rampion 1 design principles and SDNP landscape-led approach</p>	The Applicant refers to the detailed responses to the South Downs National Park Authority's in Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions [REP2-024] .
2.1.12	4.2 Despite the assertion in section 6 that due regard has been given to the Rampion 1 Design principles this has not been demonstrated to be the case.	The Applicant considers that it has had regard to the design principles held in the Rampion 1 Design Plan (Commitment C-61, Table 15-26 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES), [APP-056]). The Applicant considers that this regard is demonstrated through the Rampion 2 design principles embedded within the reduced spatial extent of the proposed DCO Order Limits (array area) and Works Areas shown on the Offshore Works Plans [PEPD-004] and described further in Section 6 of the Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037] .
2.1.13	The report states at 6.1.3 that <i>'the Applicant considers that it has had, and is having, due regards the design principles held in the Rampion one design plan..., however Rampion 2 is a different project that should respond to its own design parameters and principles that respond to its location and surroundings'</i> . The SDNPA would strongly assert that Rampion 1 is part of the surroundings and that the Proposed Development should not only take the Rampion 1 design principles into consideration but should respect them and work with them given the proximity of the Rampion 1 array.	The Applicant welcomes clarification from the South Downs National Park Authority that Rampion 1 should be considered as part of the (baseline) surroundings. The Applicant's intention was not to disregard the influence of Rampion 1 or its design plan, but to highlight that the design of Rampion 2 should respond to its own design parameters. Clearly the design of Rampion 2 needs to take cognisance of the Rampion 1 design and as noted above, the Applicant considers that the Rampion 2 Design Principles have regard to the design principles held in the Rampion 1 Design Plan (commitment C-61 in the Commitments Register [REP1-015]). The Rampion 2 design principles (Section 15.7 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]) have incorporated many elements of the Rampion 1 design principles including: limiting the horizontal field of view (HfoV) of wind turbine generators (WTGs) from the South Downs National Park (SDNP) and Sussex Heritage Coast; increasing the distance of WTGs from the Sussex Heritage Coast of the SDNP; WTGs being located further to the south-west than was proposed in the PEIR Assessment Boundary; and providing clear sight lines through the wind farm separation zones.

Ref	Deadline 2 Submission	Applicant's Response
2.1.14	<p>4.4 This assertion is strongly backed up by the South Downs National Park Strategic Policy SD5: Design, which states <i>'Development proposals will only be permitted where they adopt a landscape-led approach and respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area.'</i> It goes on to say that <i>'The following design principles should be adopted as appropriate: a) Integrate with, respect and sympathetically complement the landscape character by ensuring development proposals are demonstrably informed by an assessment of the landscape context...'</i></p>	<p>The Applicant notes the response provided to the South Downs National Park Authority (SDNPA) Local Impact Report in Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions [REP2-024] at paragraph 6.1 and 6.2 noting the SDNPA planning policy is applicable to development within the boundaries of the South Downs National Park only. The Applicant considers that the policy relates to development inside the SDNPA rather than in the marine environment and would apply to onshore parts of the cable route located within SDNPA administrative area, which have been considered through the design evolution of the Proposed Development and the Outline Landscape and Ecology Management Plan [APP-232] (updated at Deadline 3).</p>
Orthogonal layout		
2.1.15	<p>4.5 The Rampion 1 4th design principle adopted in the Wind Turbine Generator (WTG) layout sets out that the WTGs are laid out orthogonally with straight lines along several axes, which provides clear site lines through the wind turbine layout from certain viewpoints in the SDNP.</p>	<p>The Applicant notes the Rampion 1 Design Plan principle (iv) <i>"provide clear sight lines through the wind turbine layout in order that the regular geometric pattern of the array is apparent in views from the South Downs National Park and Sussex Heritage Coast"</i>.</p> <p>The Applicant agrees that the Rampion 1 array is laid out orthogonally with straight lines of wind turbine generators (WTGs) along several axes when viewed in plan. The degree to which the regular geometric pattern of the array is actually apparent in views from the South Downs National Park (SDNP) and Sussex Heritage Coast (SHC) is however much more variable from the ground. The appearance of the WTG array and 'lines of sight' through rows varies along the SHC coastline, depending on the location of the visual receptor. It is notable that the main south-west (SW) to north-east (NE) axis of the WTG rows does not align to the SHC (but instead aligns to the closest point of the SDNP near Rottingdean). Clear lines of sight between WTGs are not notably evident in views of the Rampion 1 array from the SHC, such as from Viewpoints 1-4 (Beachy Head, Birling Gap, Seven Sisters and Seaford Head). Despite the geometric WTG layout, review of the wirelines and baseline photographs in Chapter 15 Seascapes, landscape and visual impact assessment – Figures (Part 4 of 8), Volume 3 of the Environmental Statement (ES) [APP-091] confirms that the Rampion 1 WTGs are not apparent in such a regular pattern in these views from the coastline of the SHC, but instead generally appear with a more irregular, dispersed and varied arrangement of WTGs occupying the majority of the skyline with the array area. There are occasional sight lines through the WTG layout along certain WTG rows looking out to sea but generally the appearance is quite dispersed. Due to the SW-NW row alignment, clear sight lines are more apparent in the view from Rottingdean (Viewpoint 7) than those in the SHC, or from elevated viewpoints from the tops of the downs with an aspect over the sea. The Applicant would highlight Viewpoint 3 Seven Sisters (Figure 15.28 of Chapter 15: Seascapes, landscape and visual impact assessment – Figures (Part 4 of 8), Volume 3 of the ES [APP-091] as an example where the indicative MDS layout for Rampion 2 shows clear sight lines through the WTG layout (compared to the more dispersed appearance of Rampion 1).</p>

Ref	Deadline 2 Submission	Applicant's Response
2.1.16	<p>4.6 At section 4.2.3.iv. it also states that <i>'the sight lines vary along the coastline depending on the location of the visual receptor and it is notable that the main south-west to north-west axis of the WTGs does not align to the Sussex Heritage Coast and clear sight lines are not evident in views of Rampion 1 WTGs from the Sussex Heritage Coast'</i>. With the addition of the Proposed Development WTGs on a different grid to the Rampion 1 and positioned behind the Rampion 1 WTGS in views both looking west and south from the SDNP, the benefit of the orthogonal layout and the clear sight lines will be lost from other areas as well.</p>	<p>Given the comments provided above, the visual design benefit of following the Rampion 1 wind turbine generator (WTG) row alignment is not sufficiently clear to the Applicant, to the degree that it should commit to aligning the Rampion 2 layout along these same axes. The Applicant is conscious of not committing to providing clear sight lines through the Rampion 2 WTG layout that may not ultimately be deliverable, given the multiple factors that shape the final wind farm design and the practicalities and variability of how WTG arrays are viewed from ground level from differing viewpoints.</p>
Limited Horizontal Field of View (HfoV)		
2.1.17	<p>4.7 The SDNPA welcomes this principle, however the focus has been on the Sussex Heritage Coast and little consideration given to the wider SDNP area.</p>	<p>The Applicant notes that particular regard was given to limiting the horizontal field of view (HfoV) occupied by Rampion 2 in 'panoramic views to the sea' experienced from the Heritage Coast of the South Downs National Park (SDNP). Limiting the HfoV occupied by Rampion 2 in these panoramic views of the sea afforded most opportunity to reduce effects on Special Quality 1 by limiting the extent of developed horizon and retaining the widest expanse of undeveloped sea in the panorama. The Applicant considers that regard has also been given to the wider SDNP, with reductions in HfoV also evident from inland vantage points on the open tops of the downs.</p>
2.1.18	<p>4.8 The SDNPA does not agree with the statement at 6.1.17 that <i>'Reductions in the HfoV occupied by Rampion 2 in these views from the Heritage Coast would also translate to reductions in the HfoV in views from the range of inland vantage points along the open tops of the central Downs.'</i> The HfoV may have been reduced through the design evolution the east (which is welcomed), but the extent of the array to the west has remained relatively unchanged and the HfoV is considerable here.</p>	<p>The Applicant notes a reduction of approximately 2km in the western extent of the proposed DCO Order Limits, compared to the PEIR Assessment Boundary, illustrated in Figure 3.3 in Chapter 3: Alternatives – Figures, Volume 3 of the Environmental Statement (ES) [APP-075]. This resulted in a reduction in the western lateral spread of wind turbine generators (WTGs) in views from the South Downs National Park (SDNP). Furthermore, the reduction in the spatial extent of the eastern (Zone 6) area of the proposed DCO Order Limits has resulted in notable reductions in horizontal field of view (HfoV) in all views from the range of inland vantage points along the open tops of the Downs (as well as those from the Sussex Heritage Coast), as demonstrated in Table 15-27 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056], from viewpoints: 15 – 21, 27, 29 – 31, 33 and 50 – 58. These reductions in horizontal field of view (HfoV) are clearly visible when comparing the wirelines illustrating the reduction in effects between Preliminary Environmental Information Report and ES maximum design scenario layouts in Figures 15.93 – 15.109 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the ES [APP-095].</p>
2.1.19	<p>4.9 The views of the array from the Central Downs are at a very different angle to the view from the Heritage Coast. In views from the Heritage Coast, the western area of the Rampion 2 array is seen behind the Rampion 1 array, but in views from the Central Downs, the HfoV is far more considerable with the extent of the western area of the array set in currently open water with clear views out to sea.</p>	<p>The Applicant would note that the contribution of the visible horizontal field of view (HfoV) occupied by Rampion 2 to the effects arising is assessed in some detail for each viewpoint in Appendix 15.4: Viewpoint assessment, Volume 4 of the Environmental Statement (ES) [APP-160]. Each viewpoint, under the bullet point 'Field of View' includes a description and measurement (in degrees) of the overall HfoV affected, as well as the additional HfoV where Rampion 2 adds beyond the lateral spread already affected by Rampion 1. The significance of effects on views from the range of inland vantage points along the open tops of the downs is recognised in Chapter 15: Seascape, landscape and visual impact</p>

Ref	Deadline 2 Submission	Applicant's Response
2.1.20	4.10 It is not clear why the Western area of the array takes such a linear form and cannot be more compact in a similar manner to the Rampion 1 array	<p>assessment, Volume 2 of the ES [APP-056], due in part to the lateral spread of the western extension area. It is recognised in the assessments that Rampion 2 will extend the wind turbine generator (WTG) developed skyline mainly westwards, with the HfoV being narrower in views from the eastern downs and wider in views from the central and western downs (where the western extension area contributes more to a wider HfoV of WTGs), however, the eastern array area of Rampion 2 is generally viewed almost entirely behind Rampion 1 from the central and western areas (e.g. Viewpoint 18 Cissbury Ring, Figure 15.102 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the ES [APP-095]). As described above in response to 2.1.18, the reduction in the spatial extent of the eastern (Zone 6) area of the proposed DCO Order Limits has resulted in the overall HfoV of WTGs within the proposed DCO Order Limits being notably reduced compared to the PEIR Assessment Boundary in views from inland viewpoints along the open tops of the Downs (as well as those from the Sussex Heritage Coast) as shown in Figures 15.93 – 15.109 of Chapter 15 Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the ES [APP-095].</p>
2.1.21	4.11 The SDNP special qualities apply across the whole park, with the first Special Quality being diverse, inspirational and breathtaking views. Consideration of the views from the Heritage Coast is welcomed but limiting of the HfoV should be considered from all parts of the SDNP in equal measure.	<p>As described in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES) (Table 15-25) [APP-056], the maximum design scenario layout (Figure 15.1 of Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 1 of 8), Volume 3 of the ES) [APP-088] has wind turbine generators (WTGs) located to the full eastern and western extent of the wind farm array area, and in positions that are weighted towards the coastward perimeters of the Rampion 2 Offshore Array Area, as close as possible to the coastline within the array area, to represent the worst-case scenario in terms of the proximity, scale and spread of the WTGs in coastal views from receptors around the coastline, including Sussex Heritage Coast and South Downs National Park (SDNP) to the north and east, and West Sussex, the Chichester Harbour AONB (CHAONB) and Isle of Wight AONB (IoWAONB) to the west. Further explanation of the Rampion 2 maximum design scenario for seascape, landscape and visual is provided in the Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]. The Applicant cannot commit to the western extension area of the Rampion WTG array being more compact as this would not allow the Applicant sufficient design flexibility to optimise the final offshore WTG layout design for wind energy capture and detailed engineering factors and have the potential to impact the viability of the Proposed Development in terms of its electricity generating output. Subject to relevant spacing requirements, other constraints and the wind farm separation zones proposed (Figure 3.3 in Chapter 3: Alternatives – Figures, Volume 3 of the ES [APP-075]) WTGs could be located in any part of the array area falling within the offshore order limits shown for Work No. 1 on the offshore Works Plans.</p>
		Please see the Applicant's responses to this point contained in references 2.1.17 – 2.1.20 above.

Ref	Deadline 2 Submission	Applicant's Response
Wind Farm separation zones		
2.1.22	4.12 It is the understanding of the SDNPA that the separation zones are provided for the purposes beyond assisting mitigation of landscape and visual impact. On this basis any mitigation provided is coincidental and not purposefully designed. It is the SDNPA's assertion that if these separation zones were design principles set by the need to mitigate landscape and visual impact they would be far wider.	<p>As described in paragraph 4.1.17 of Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES) [APP-045], two wind farm separation zones, to the west and south of Rampion 1, were introduced to mitigate visual impacts by separating the Rampion 2 array area from the built Rampion 1 wind turbine generators (WTGs) (Figure 3.3 in Chapter 3: Alternatives – Figures, Volume 3 of the ES [APP-075]). The 1.4 nautical mile (nm) wide separation zone to the west of Rampion 1 is also designated as a Helicopter Refuge Area (HeRA), with the purpose of addressing the lines of sight (for search and rescue) and navigational safety concerns raised by the Marine and Coastguard Agency (MCA) during Statutory Consultation. The area to the south of Rampion 1, will also be compliant for use as a HeRA at 1nm width, but has not been designated solely for this purpose and the focus during the design stage in consultations with Ips was for the wind farm separation zone to the south to provide for the purpose seascape, landscape and visual impact mitigation in views from the SHC. This windfarm separation zone allows the Rampion 2 array to be viewed with less contrast and as a distinct element in key views from the Heritage Coast, while also avoiding juxtaposition of larger Rampion 2 WTGs in front of smaller Rampion 1 WTGs, to balance arrays and apparent WTG size.</p> <p>The Applicant notes that the South Downs National Park Authority has recommended wider separation zones of at least 4km between Rampion 1 and Rampion 2. The Applicant cannot however commit to maximising the size of east/west gaps between the Rampion 1 and Rampion 2 arrays beyond those already defined by the wind farm separation zones, as this would not allow sufficient design flexibility to optimise the final offshore WTG layout design for wind energy capture and detailed engineering actors and would impact the viability of the Project in terms of its electricity generating output.</p>
2.1.23	4.13 With the Proposed array being set to the south and west of the Rampion 1 array, the SDNPA feel that the separation zones provide little relief to the visual impact. In views from the north there is no separation between Rampion 1 and the southern area of the Proposed array, and in views from the east there is no separation between Rampion 1 and the western area of the Proposed array.	<p>The Applicant notes that there is agreement between the Applicant and Natural England's view expressed in its relevant representation (Natural England, November 2023) [RR-265] that the inclusion of the wind farm separation zones successfully acts to significantly reduce seascape and visual effects on the most sensitive views from parts of the Sussex Heritage Coast within the South Downs National Park.</p> <p>A clear line of sight is also evident between Rampion 1 and Rampion 2 western extension area from a range of viewpoints from the inland open tops of the downs of the SDNP, as set out in paragraph 6.1.62 of the Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037]. The Applicant accepts that in views from the north there is no separation between Rampion 1 and the southern area of the Rampion 2 array, which is located behind the Rampion 1 wind turbine generators (WTGs) but considers that this is a preferable location in order to limit the additional horizontal field of view (HfoV) at greater distance offshore behind the existing Rampion 1 WTGs.</p>

Ref	Deadline 2 Submission	Applicant's Response
2.1.24	4.14 As the report states itself, the separation principles 'afford mitigation in certain viewing angles from the open downs of the SDNP'. The SDNPA would suggest that these viewing angles are possible from a limited number of locations.	The Applicant considers that the number of locations where the windfarm separation zones are visible is not 'limited', given there is a clear line of sight through the windfarm separation between Rampion 1 and Rampion 2 eastern array (Zone 6) in views from the Sussex Heritage Coast to the east (such as Viewpoint 1, 2, 3 and 28) and in views from a range of viewpoints from the inland open tops of the downs of the wider South Downs National Park to the north (such as Viewpoint 15, 17, 18, 19, 27, 51, 52, 54 and 55).
Separation foreground		
2.1.25	4.15 The report also states that ' <i>Apparent scale differences and complexities in aesthetic appearance between Rampion 1 and Rampion 2 WTGs have been reduced through the revised spatial extent of the array area (avoiding areas to the east of Rampion 1) and the use of wind farm separations zones.</i> ' The SDNPA does not agree with this statement. As stated already the separation zones are not deliberately designed to assist mitigation and are not sufficient in themselves to achieve this and the two different sizes of wind turbines are still seen in combination from many views.	The Applicant notes that the aim of the separation foreground principle was to avoid the juxtaposition of larger Rampion 2 wind turbine generators (WTGs) in front of the smaller existing Rampion 1 WTGs, which was achieved mainly by reducing the easterly spatial extent of the wind farm array area but was also aided by the use of wind farm separation zones. The Applicant notes that the two different sizes of WTGs are still seen in combination and that this scale difference contributes to the significant effects assessed in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES), however the key design measure was to avoid siting of Rampion 2 WTGs to the east of Rampion 1 (i.e. between Rampion 1 and the Sussex Heritage Coast) in order to avoid the particularly stark scale differences and complexities in appearance of larger WTGs to the fore of smaller WTGs, which has been achieved and can be seen when comparing the Preliminary Environmental Information Report maximum design scenario (MDS) layout with the ES MDS layout in the comparative wirelines from Viewpoint 1, 2, 3, 4 from the Sussex Heritage Coast, in Figures 15.93 – 15.96 of Chapter 15 Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the ES [APP-095].
Maximum Design Scenario		
2.1.26	4.16 The SDNPA has concerns regarding the statement in section 6.2.5 ' <i>Whilst the parameters include for up to 90 WTGs, the inclusion of a parameter limiting the rotor swept area ensures that no more than 65 of the largest turbines can be installed.</i> ' The DCO Order Limits cover a much wider area than that which is required for 65 WTGs, and it is not clear how the rotor swept area would preclude more turbines being installed in the southern area of the western Rampion 2 zone	The maximum total rotor swept area is 4,450,000.00m ² as secured in Part 3, Requirement 2, Schedule 1 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) and this will not be exceeded, regardless of the choice of wind turbine generator (WTG) in the final Proposed Development. 65 of the larger WTG type (325m tip height, 295m rotor diameter) results in a total rotor swept area of 4,442,702.89 m ² . Further information on how the number of WTGs is limited by the Development Consent Order is available in Pre-Exam Procedural Deadline Submission – 8.23 – Examining Authority requested additional information— Revision A [PEPD-041] .
2.1.27	4.17 The SDNPA would suggest that this needs further clarification, given that the final WTG layout is not confirmed.	Please see the Applicant's responses to this point contained in reference 2.1.26 above.
2.1.28	SDNPA Response to Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018]	

Ref	Deadline 2 Submission	Applicant's Response		
Action Ref	Action Point	Applicant's Response (Summary)	SDNPA Comments	Applicant's Response
5	Confirmation of onshore cable— route – including points of leaving and entering the South Downs National Park	Location of the onshore cable route in relation to the South Downs National Park (SDNP) is best understood by looking at figures 18.6a Landscape Designations and 18.6b Landscape Designations Environmental Statement [APP-098].	This clarification is welcomed, however we would appreciate clarification that this has been understood across all topic areas within the Environmental Statement and the overall assessment of the SDNP.	The Applicant confirms this is correct.
9	Submission of detailed information on the proposed design of accesses and HDD proposals at A27 Hammerpot.	Update on progress (with National Highways) will be provided in forthcoming submissions. It is not the intention to submit detailed design information into the Examination for approval; this would be provided to discharge the draft DCO requirement 15 or 16.	The northern edge of the A27 carriageway abuts the boundary with the SDNP. A number of the HDD launch/reception locations are therefore within the SDNP. Whilst it is understood further details of access would be part of a submission to discharge Requirement 16, the details pertaining to the HDD proposals are not sought by this Requirement and we would seek clarification on these details and would welcome the opportunity to discuss these further with the applicant and National Highways.	The Applicant refers to the Draft Development Consent Order [REP2-002] (updated at Deadline 3) Requirement 16 with regards to the approval of accesses, and Requirement 23 Construction Method Statement for further stage specific information to be provided for trenchless crossings for approval of the relevant planning authority.
11	A Traffic Management Plan for Michelgrove Lane is to be provided.	Engagement is ongoing with West Sussex County Council (WSSCC) to develop a traffic management strategy that considers how safe access can be achieved at access A-26, A-28 and along Michelgrove Lane.	This location is within the SDNP and SDNPA has repeatedly expressed a desire to be involved in these discussions in order to ensure National Park Purposes are incorporated into the strategy. We would hope to feed into this process before Deadline 3.	The Applicant has provided this information at Deadline 3 in the response the Examining Authority Written Question TA 1.6 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).
12	Note to be provided on options for ensuring HGVs do not arrive on site outside of the agreed construction hours.	'Shoulder hours' introduced at either end of the core working hours.	The introduction of 'shoulder hours' and the activities permitted within them are likely to have 'knock-on' effects in respect of tranquillity, ecology and dark night skies. The works permitted are not limited to the construction compounds and so could adversely affect locations throughout the SDNP for a longer period. The SDNPA does not object	The activities during the shoulder hours are restricted compared to the full suite of activities permitted prior to their introduction. There is no new activity that requires further assessment or mitigation.

Ref	Deadline 2 Submission	Applicant's Response		
22	Applicant to provide details of length and area of temporary and permanent vegetation removal and reinstatement in the form of tabular detail for; hedgerow; important hedgerow; potentially important hedgerow; treeline; woodland; number of trees. This should include the length and areas of the above within the SDNP	To be provided at Deadline 3.	to their inclusion but seeks clarification on assessment of the effects of introducing these measures and consideration of more detailed mitigation/management to be provided as part of the Outline Code of Construction Practice (CoCP).	The Applicant has provided this updated information in the Technical Note – Construction Access Assessment Summary (Document reference: 8.61) submitted at Deadline 3.
23	Review all bell mouth access points on whether necessary hedgerow removal has been taken into account.	Applicant accepts that there may be instances where the extent of hedgerow removal may exceed that currently shown on the Vegetation Retention Plans of Outline CoCP. The applicant will therefore undertake a more comprehensive review of all accesses, including undertaking elements of initial detailed design work, where requested by the highway authority, at a limited number of key locations.	We welcome this further assessment. The SDNPA would expect to be engaged in further discussion regarding the key locations for further detail design work.	The Applicant has provided this updated information in the Technical Note – Construction Access Assessment Summary (Document reference: 8.61) submitted at Deadline 3.
24	Applicant to ensure consistency between the Environmental Statement and Arboricultural Impact Assessment (AIA) regarding tree and hedgerow loss and clearly	Applicant notes there is a difference between the definition of 'tree/tree group/woodland/scrub' applied through the ecological assessment and AIA. There are different	See comments regarding Action Point 22.	An updated version of Appendix 22.16: Arboricultural Impact Assessment [APP-194] will be provided at Deadline 4. Tree loss is being updated to reflect the changes made to the vegetation retention plans within the Outline Code of Construction Practice [PEPD-033] that has been provided at Deadline 3.

Ref	Deadline 2 Submission		Applicant's Response	
26	<p>explain any necessary differences.</p> <p>Applicant to review the Order limits for Work No.9 at Michelgrove Park Area and Sullington Hill to remove the central areas not required</p>	<p>methodologies used for these, however a review will be carried out and presented at Deadline 3.</p> <p>Applicant has reviewed the DCO corridor widths for Works No.9 at both Sullington Hill and Michelgrove Park. Both locations present nonstandard trenchless crossings due to the crossing length required to avoid and protect the designated land areas, the site topography and the bedrock geological conditions. The applicant considers that it is necessary to retain the full extent of the existing corridor for Works No.9 at both locations as per the current Application.</p>	<p>As per our comments in the Written Representation (para 3.5.6) and Local Impact Report (para 6.26), the SDNPA are still unclear whether HDD is achievable in these locations. Based on the additional information provided, it appears further investigation is needed to establish that the principle of HDD in this location, not just the specific route under these sensitive areas.</p>	<p>The Applicant has committed to providing trenchless crossings in these locations, as per Appendix A – Crossing Schedule of the Outline Code of Construction Practice [REP-015] (updated at Deadline 3), secured by Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>

Table 2-2 Applicant's response to Horsham District Council's Deadline 2 submission

Ref	Deadline 2 submission	Applicant's response
Comments on any further information/submissions received by Deadline 1		
2.2.1	<p>REP1-022-- Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses Category: Examination Documents Date: February 2024 Revision A</p> <p>Comment: Horsham District Council (HDC) notes the Applicant's response has indicated barriers to a continuous construction haul road. However, it remains that temporary bridging of the watercourse (Cowfold Stream) is technically possible to enable a continuous construction haul road.</p>	<p>The Applicant notes Horsham District Council's comment.</p> <p>Paragraph 1.4.2 (2nd bullet point) within Deadline 1 Submission – 8.25.3 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses [REP1-022] states that “<i>Operating a haul road across this watercourse (Cowfold Stream) would be technically complex and highly detrimental to the local environment</i>” and concludes in Paragraph 1.4.5 that “<i>there are several barriers that make the operation of a continuous haul road across this segment unfeasible and environmentally undesirable, environment, most particularly ecology and transport</i>”.</p> <p>It is possible to cross the Cowfold Stream using a bridge, however this would result in the loss of areas of mature dense scrub that run either side of the watercourse and would likely result in additional effects on a range of species including nightingale (<i>Luscinia megarhychos</i>) and otter (<i>Lutra lutra</i>). One of the reasons to undertake a trenchless crossing at this location was to minimise adverse effects on ecological features.</p> <p>Any continuous haul road crossing of the Cowfold Stream (which is identified as an Environment Agency Main River) would require a temporary haul road crossing and necessitate further temporary construction works within the fluvial floodplain at that location. The Limits of Deviation for this trenchless crossing compound (Sheet 25 in Appendix A: Crossing Schedule of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) with Reference: STRX-1de-18 “Cowfold Stream”) have been carefully sited outside of Flood Zone 2 and 3, in accordance with a sequential approach taken to avoid flood risk areas. This represents the best option from a water environment perspective both in terms of minimising any avoiding potential changes to flood risk, and surface water quality (from temporary ground disturbance and sedimentation).</p>
2.2.2	<p>REP1-016-- Commitments Register (tracked changes) Date: February 2024 Revision B</p> <p>Comment: HDC welcomes the Applicant's adoption of shoulder hours and the amendments to the Commitment Register to provide for firmer commitments on the following:</p> <ul style="list-style-type: none"> C-5 (HDD use) C-7 (agricultural re-instatement) C-17 and C-18 (use of prow and water course crossing methodologies) C-22 (construction hours and use of shoulder hours). C-216 and C-135 (standoff distances for ancient woodland and watercourses) C-115 (hedgerow notching) C-263 (identification and use of noise mitigation) 	<p>The Applicant acknowledges Horsham District Council's welcoming of the adoption of shoulder hours and amendments to the referenced commitments (C-5, C-7, C-17, C-22, C-115, C-216, and C-263) as provided in the updated Commitments Register [REP1-015] submitted at the Deadline 1 submission.</p>

Ref	Deadline 2 submission	Applicant's response
2.2.3	REP1-011-- Outline Construction Traffic Management Plan (tracked changes) Date: February 2024 Revision C	<p>The project currently has a freephone helpline number which would continue through construction. This commitment will go into the Construction Communications Plan in due course. However, in the event of an emergency, the emergency services should be called in the first instance.</p>
	<p>Comment: Whilst HDC welcomes the inclusion of a Communication Strategy (paras 8.4.28 – 8.4.30), the detail provided is considered to lack robustness, and HDC offers the following comments: -</p> <ul style="list-style-type: none"> Paras 8.4.28 – 8.4.30 refer only to a minimum of necessary information that should (not could) be included. There appears to be no provision for emergency contact details or to whom affected communities contact for general advice or to raise concerns, for example. A longer notification period (currently, a minimum of only one month) would allow affected communities plenty of time to plan ahead, especially in regard to festive holiday breaks. In addition to the list of identified stakeholders, a commitment to mail drop all property addresses of affected communities would be an effective direct method to inform. 	<p>One month is the typical notice period for industry in the event that construction activities require road closures, diversions and/or alternative access arrangements.</p> <p>The Applicant will ensure relevant communities are kept informed using a range of communication methods which could include mail drops within a certain distance of construction works, email and online communications, local media and parish council newsletters etc. As set out in paragraph 2.6.1 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) will include a series of tailored Communication and Mitigation Plans to provide more detail for local communities along the 38.8km onshore cable route (secured by Requirement 34 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3)).</p>
2.2.4	<p>HDC considers the Communication Strategy to be an important method to ensure directly affected communities are aware and informed of potential disruption. Presently, paras 8.4.28 – 8.4.30 present a strategy that lacks sufficient robustness. Given this, the detail (scope, remit) of the Communication Strategy should be subject to agreement in consultation with the LPAs, via a standalone commitment or requirement separate to the OCMP.</p>	<p>As set out in Paragraph 2.6.1 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), The Applicant will produce a Construction Communications Plan (CCP) prior to the commencement of construction, for approval of the relevant planning authorities (secured by Requirement 34 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3)). The CCP will:</p> <ul style="list-style-type: none"> outline the Proposed Development; build on stakeholder engagement carried out throughout development to strengthen relationships with key stakeholder organisations and individuals, alongside the wider community; identify a range of communication tools, methods and opportunities to reach this target audience and enable them to reach the construction team; include a range of communication materials designed to reach the target audience; include a series of tailored Communication and Mitigation Plans to provide more detail for local communities along the 38.8km onshore cable route; produce dedicated Communications Plans for special interest user groups, such as fishers, diver and public rights of way users; and set out the complaints procedure.
2.2.5	<p>HDC welcomes clarification that no new temporary construction bellmouth are required at Access 37 and 38, 45, and 55.</p>	<p>The Applicant acknowledges Horsham District Council's welcoming of the clarification that no new temporary construction bellmouth are required at Accesses A-37 and A-38, A-45, and A-55.</p>
<p>Responses to any written questions arising from OFH1 and/or ISH1</p>		
2.2.6	<p>The Examining Authority presented a Written Question in its Rule 8 letter of to Horsham District Council, in order to receive further information about matters it considered relevant to Issue Specific Hearing 1. Horsham District Council's response to this question is set out below.</p>	<p>The Applicant has no further comment on this matter at this time.</p>

Ref	Deadline 2 submission		Applicant's response	
2.2.7	Examining Authority Question Number Q6-4 Habitats Regulations Assessment for the Arun Valley Special Protection Area Natural England Horsham District Council	Examining Authority's Questions Natural England state in their Relevant Representation (RR) [RR-265 section 5.25 page 16] and Principal Areas of Disagreement Statement [AS-011 page 4], that there is the risk of a temporary loss of functionally linked land used by waterbirds related to the Arun Valley Special Protection Area during the construction phase of the Proposed Development lasting for several years longer than predicted, before it is returned to its previous condition. It is advised that this extended timeframe needs to be further assessed within the Environmental Statement. Explain whether this further assessment been undertaken or discussed since the Application was submitted for examination in August 2023.	Horsham District Council's comments Horsham District Council (HDC) understands from its attendance at the Issue Specific Hearing 1 that it has been requested a response to Q6-4 possibly in error, and a response is meant to Q6-5. However, if HDC comments are sought on Q6-4, it is confirmed no further assessment has been undertaken or discussed with HDC on the temporary loss of functionally linked land used by waterbirds related to the Arun Valley SPA during the construction phase of the Proposed Development.	Applicant's Response Reinstatement of functionally linked land (FLL) as defined in the assessment is required but is not necessary to ensure a conclusion of no adverse effects on integrity. FLL is defined by Natural England as <i>"land or sea occurring outside a designated site which is considered critical to, or necessary for, the ecological or behavioural functions in a relevant season of a qualifying feature for which a Special Area of Conservation (SAC)/Special Protection Area (SPA)/Ramsar site has been designated. These habitats are frequently used by SPA species and supports the functionality and integrity of the designated sites for these features."</i> (Natural England, 2021 – <i>NECR361 Edition 1 Identification of Functionally Linked Land supporting SPAs waterbirds in the North West of England</i>). Typically, FLL is identified for waterbirds as suitable habitat that lies within a typical foraging distance flown on a daily basis from a known roost to feed. The FLL identified within the Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement (ES) [APP-063] and the Report to Inform the Appropriate Assessment [APP-038] is highly precautionary. It was defined based on identifying habitats within or close to the proposed DCO Order Limits without reference to flight distances as the design process of the Proposed Development was at an early stage and no winter bird survey work had been completed. The FLL identified for the Proposed Development was not altered based on winter bird survey results or design changes to the Proposed Development to ensure sufficient precaution within the assessments provided. The Arun Valley Special Protection Area (SPA) and Ramsar site is 4.8km at the closest point to the proposed DCO Order Limits, with the closest suitable habitat for designated features (i.e. that which could be functionally linked) being in excess of 9km away in the Arun Valley (west of Littlehampton and Lyminster) and over 13km away in the Adur Valley (north west of Henfield). On the basis that the roosts for the populations on the Arun Valley SPA / Ramsar site being within the designated site the FLL identified for assessment for Rampion 2 would not typically qualify based on usual foraging distances. Typical foraging distances (taken from <i>Johnson, W.P., Schmidt, P.M. Taylor, D, (2014) Foraging flight distances of wintering ducks and geese: A review. December 2014 Avian Conservation and Ecology 9 (2): pp1-19</i>) for Eurasian wigeon (2.5km), shoveler (2.5km) and teal (3.8km) suggest that they would usually be foraging much more closely to the SPA / Ramsar site boundary than close to any of the proposed working areas. Pintail are shown in Johnson et al., 2014, as foraging up to 18.5km (maximum distance recorded from 17 studies) from roost, although this is from a study reported from the United States of America (USA) and 1.3km from a study in France. Within the DCO Application documents including the Report to Inform

Ref	Deadline 2 submission	Applicant's response
		<p>the Appropriate Assessment [APP-038], the conservative 18.5km distance was used as a precaution. Alternatives to this approach would be to use the mean (7.4km) or median (5.0km) distance of the studies referenced by Johnson et al., 2014 or rely on the single European example (1.3km). Assuming the mean is used as a reasonable assumption of typical foraging distance pintail would usually be foraging much more closely to the SPA / Ramsar site boundary than close to any of the proposed working areas.</p> <p>Two years of winter bird survey were undertaken in areas that were noted, on a precautionary basis, as FLL in the assessment (see Appendix 22.14: Onshore winter bird report 2020 – 2022, Volume 4 of the ES [APP-192]). The data shows that within the Arun Valley (including the coastal strip) very limited use of Climping Beach, arable fields behind the sea defences and the coastal and floodplain grazing marsh west of Littlehampton and Lyminster was made by waterbirds. The only aggregations noted regularly were wigeon on waterbodies close to the church of St Mary Magdalene, Lyminster. These waterbodies are approximately 300m north of the proposed DCO Order Limits and are heavily screened from the construction area by scrub fringing the waterbodies, farm buildings and residential development. At the coast numbers of key species were small, recorded irregularly and often were of birds flying along the coast as opposed to using the area for foraging. This suggests that the area assessed as being FLL in the Arun Valley is not critical or necessary for the ecological or behavioural functions in a relevant season of a qualifying feature for which the Arun Valley SPA/Ramsar site has been designated. In the Adur Valley wigeon, teal, pintail and shoveler were all recorded. Shoveler and pintail were recorded on a single occasion each only and in small numbers suggesting that they are not reliant on this area, regardless of whether or not they form part of the population for the Arun Valley SPA/Ramsar site. Wigeon and teal were noted more regularly, sometimes in large number (up to 600 wigeon and 151 teal were recorded on 19 January 2021) although numbers fluctuated. These birds all used flooded fields, with water covering pasture, arable fields, ditches and ruderal vegetation. Wigeon usually eat seeds by day (within water) and move onto open grassland at night to feed, whilst teal mainly eat seeds from the water surface or just below it. Within the FLL of the Adur Valley (defined as Flood Zones 2 and 3) there are large areas of potentially suitable habitat. The area of FLL within the proposed DCO Order Limits in the Adur Valley is approximately 9.3ha, with the realistic worst-case scenario (based on a 40m working width plus access route, but discounting area over which a trenchless crossing is proposed) being the temporary loss of 3.2ha of agricultural grassland. This is less than 1% of the available habitat (within Flood Zones 2 and 3) between Steyning and Partridge Green. In the realistic worst-case scenario, temporary works would have been undertaken outside of the winter period and the soil dressed back although no vegetation has been reestablished. For teal who are feeding on seeds and other items on or just below the water, this should present no change, for wigeon coming out of the water to feed on grassland at night (assuming these areas are not flooded) this would represent a very small reduction in available habitat. This is regardless of whether or not the</p>

Ref	Deadline 2 submission	Applicant's response
<p>Q6-5 Water Neutrality Natural England</p>	<p>It is advised [AS-011 page 4] and [RR-265 section 5.26 page 17] that development proposals within the Sussex North Water Supply Zone area that would lead to an increase in water demand will need to demonstrate and robustly evidence water neutrality and that an assessment of water neutrality is required to be undertaken by the Applicant in regards to the Proposed Development. Confirm whether any progress has been made or discussions have taken place with the Applicant in regard to this request.</p>	<p>Horsham District Council (HDC) confirm brief and limited discussion took place with the Applicant regarding this request on 1³th February 2024, as part of ongoing negotiations on the Statement of Common Ground, in seeking to resolve a Principal Area of Disagreement.</p> <p>HDC has provided advice on, in its view, an appropriate strategy for the Applicant to action to demonstrate water neutrality, and this has been reported in the Council's Local Impact Assessment.</p>
		<p>wigeon noted are also reliant on the Arun Valley SPA/Ramsar site (over 13km away), given the large geographical separation between the areas.</p> <p>Bewick's swans were not recorded within or close to the proposed DCO Order Limits and historical data from the Sussex Ornithological Society shows that they regularly occur well away from the proposed DCO Order Limits (around Burpham and Wepham) and can therefore be discounted. Ruff were not recorded by winter bird surveys and can also be discounted.</p> <p>In summary, the FLL identified within the assessment (see Report to Inform the Appropriate Assessment [APP-038]) was done so on a highly precautionary basis given that birds using the areas are unlikely to be reliant on these and the Arun Valley SPA/Ramsar site given geographical separation. Even if the land is functionally linked, any potential effect would be small and confined (based on field survey data) to wigeon in the Adur Valley. These birds have considerable opportunity to forage in a range of suitable fields in this area. Finally, commitment C-103 in the Commitments Register [REP1-015] (updated at Deadline 3) ensures that reinstatement will occur within 2 years (noting target condition would take further time to reach) of the loss in these areas. It is also noted that commitment C-117 in the Commitments Register [REP1-015] (updated at Deadline 3) avoids works on areas assessed as FLL to minimise any potential disturbance. Commitments C-103 and C-117 are secured in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) which is secured through Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant notes an additional meeting was held with Horsham District Council on 27 February 2024 with further discussions planned as part of ongoing negotiations on the Statement of Common Ground, in seeking to resolve a Principal Area of Disagreement.</p> <p>The Applicant has since provided further detailed responses to the Examining Authority's Written Questions [PD-009] with respect to water neutrality under Question WE 1.1 in The Applicant's Responses to the Examining Authority's Written Questions (Document Reference: 8.54).</p>

Table 2.3 – Applicant’s response to West Sussex County Council’s Deadline 2 submission

Ref	Deadline 2 submission	Applicant’s response
2.3.1	<p data-bbox="261 367 415 399">1 Overview</p> <p data-bbox="261 430 1662 535">1.1 This document provides a response at Deadline 2 (20 March 2024) from West Sussex County Council (hereafter ‘WSCC’) on the following Deadline 1 submissions by Rampion Extension Development Limited (hereafter the ‘Applicant’);</p> <ul data-bbox="296 567 1662 819" style="list-style-type: none"> • Applicants responses to Action Points Arising from Issue Specific Hearing 1 (REP1-018), Appendix 3 (REP1-022), Appendix 4 (REP1-023) and Appendix 6 (REP1-025); • Environmental Statement (ES) Appendix 23.3 Traffic Generation Technical Note assessment (tracked) (REP1-009); • Outline Construction Traffic Management Plan (tracked) (REP1-011); • Commitments Register (tracked) (REP1-016); and • SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note (REP1-037). 	The Applicant has no further comment at this time.
2.3.2	<p data-bbox="261 840 1038 871">2 Response to Action Points from Issue Specific Hearing 1</p> <p data-bbox="261 903 1662 1018">2.1 Table 1 provides commentary from WSCC on a number of the action points (where relevant) that came out of Issue Specific Hearing 1 (EV3-020), primarily addressing the evidence put forward by the Applicant in response (REP1-018).</p>	The Applicant has provided responses below (reference 2.3.3) to the commentary provided by West Sussex County Council on Issue Specific Hearing 1 (ISH1) Action Points in Table 1.

2.3.3	Applicant's Response to Action Points Arising from Issue Specific Hearing 1 (REP1-018)	Applicant's Response
1, 52-62	WSCC welcomes the acknowledgement of updates required to the draft DCO, and will provide further response to these updates at Deadline 3 when a subsequent version is submitted to the Examination.	The Applicant notes West Sussex County Council's welcoming and has provided an updated Draft Development Consent Order [REP2-002] at Deadline 3. The Applicant has provided responses to Issue Specific Hearing 1 (ISH1) Action Points 1 and 52 to 62 within Deadline 2 Submission – 8.42 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP2-018] .
6	<p>The pre-application baseline and ES assessment work undertaken by the Applicant is acknowledged. The embedded environmental measures and design principles are welcomed by WSCC, as set out in the WSCC Local Impact Report (LIR) (REP1-054). The design principles as set out within the Design and Access Statement (AS-003) are secured by draft DCO Requirements 8 and 12. However, as detailed in the WSCC LIR, the principles themselves are currently lack specificity and certainty that these reductions in harm can be delivered. The degree to which they can reduce harm to the significance of Oakendene Manor is therefore not fully guaranteed.</p> <p>The commitment to undertake additional viewpoint photography and additional photography from other locations within the vicinity of the heritage asset, once access can be arranged, is welcomed. The additional evidence arising from this work will clarify the predicted magnitude of change within the setting of the manor, and therefore the degree of harm to the significance of Oakendene Manor which is likely to arise as a result of the Project.</p>	<p>The Applicant welcomes West Sussex County Council's acknowledgment of the pre-application baseline and Environmental Statement assessment work undertaken and the welcoming of the embedded environmental measures and design principles set out within the Design and Access Statement [AS-003] (updated at Deadline 3) and secured via Requirements 8 and 12 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has agreed during engagement with West Sussex County Council to review the presentation of the design principles and the wording within the Design and Access Statement [AS-003] to secure the delivery of the principles within. The Applicant has provided an update of this document at Deadline 3.</p> <p>The Applicant confirms that further viewpoint photography at Oakendene Manor has been completed in April 2024. The Applicant will supply visualisations of additional viewpoint photography at a later Examination Deadline.</p> <p>The Applicant has provided detailed responses to West Sussex County Council's Local Impact Report and Written Representations within Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020].</p>
7	Whilst recognising that HDD has become an established technique in the industry, each application of this technique must be assessed against its own setting and suitable mitigations provided for in the engineering design process. Additional information on HDD at Climping Beach, as provided as Appendix 6 (REP1-025) is therefore welcomed.	The Applicant is pleased that the additional information provided on Horizontal Directional Drill at Climping Beach (Deadline 1 Submission – 8.25.6 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 6 – Further information for Action Point 7 – Horizontal Directional Drilling at Climping Beach [REP1-025]) is welcomed by West Sussex County Council.
8	The Applicant's response is noted. WSCC will review and provide further comments when the information is submitted by the Applicant at Deadline 2.	The Applicant has provided a note on the principal differences between the 1993 and 2023 Institute of Environmental Management's Traffic Assessment Guidance documents and whether there would be difference in the outcome of the assessment if the latter was used at Deadline 2 (Deadline 2 Submission – 8.41 Category 8: Examination Documents – Review of IEMA Guidelines on Environmental Assessment of Traffic and Movement [REP2-017]).
10	The updated figure 7.6.8 and 7.6.9c in the Outline Construction Traffic Management Plan (REP1-011) are noted. With respects to 7.6.9c, routing in and around Bolney remains unchanged. Changes are noted to remove HGV and LGV traffic from routing onto Bob Lane from Wineham Lane and the southern end of Kent Street from Wineham Lane (HGV and LGV traffic will still use the northern end of Kent Street accessing from the A272).	The Applicant notes that Figure 7.6.9c of the Outline Construction Traffic Management Plan [REP1-010] has been updated to show construction traffic routes between the compounds and construction sites along Wineham Lane and Kent Street. No other construction traffic routes are shown within Bolney as it is not intended to use these as construction traffic routes for the Proposed Development
11	The Applicant's commitment to further discussions with WSCC on this point is welcomed with a further formal submission of information at Deadline 3. WSCC is awaiting confirmation from the Applicant on engagement ahead of submission at Deadline 3.	The Applicant notes a traffic management strategy to facilitate access along Michelgrove Lane by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan

		<p>[REP1-010] secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>This traffic management strategy has taken account of traffic surveys undertaken on the A280 Long Furlong and Michelgrove Lane, swept path analysis and visibility splay assessments.</p>
12	<p>The Applicants use of 'shoulder hours' is noted. This will assist in traffic terms to stagger the arrival of workers. The suggested activities permitted within the 'shoulder hours' includes deliveries to the site and unloading. The use of the 'shoulder hours' for deliveries would permit HGVs to arrive and depart on weekdays from 0700 to 1900. Through the WSCC LIR, WSCC has requested that the Applicant seeks to limit the number of HGV movements at network peak times particularly in locations where there are identified congestion issues and in sensitive locations. The use of 'shoulder hours' for deliveries may run contrary to the WSCC recommendation made. The Applicant is requested to revise the intended activities within the 'shoulder hour'</p>	<p>The Applicant has provided detailed responses to West Sussex County Council's Local Impact Report (Appendix C in relation to transport comments) and Written Representations within Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020].</p> <p>The Applicant has also provided a response to the Examining Authority's traffic and access Written Question TA 1.13 'Core Working Hours for Construction' [PD-009] in The Applicant's Responses to the Examining Authority's Written Questions – (Document Reference: 8.54).</p> <p>The Applicant has updated the Outline Construction Traffic Management Plan [REP1-010] at Deadline 3 which provides the following limits on heavy good vehicle (HGV) deliveries:</p> <ul style="list-style-type: none"> ▶ For HGVs travelling to / from accesses A-56 and A-57 through Cowfold during the weekday morning peak hour / school opening period (08:00 to 09:00), school closing period (15:00 to 16:00) and evening peak hour (17:00 to 18:00): ▶ Access A-56 will be limited to 1 HGV delivery; and ▶ Access A-57 will be limited to 2 HGV deliveries. <p>In addition to the timing restrictions noted above, all construction traffic movements to access A-37 in Washington will be restricted to avoid school start and end time at access A-37 in Washington.</p> <p>These limits will be controlled through the Delivery Management System and the requirement for contractors to pre-book limited delivery slots within the peak traffic hours identified. Further information on the proposed Delivery Management System is provided in Section 8.4 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3).</p> <p>These limits would be included within the stage specific Construction Traffic Management Plans secured via Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
13	<p>The Applicant's response is noted and WSCC will review following the submission of information by the Applicant at Deadline 2.</p>	<p>The Applicant considers that the construction hours are appropriately secured through the stage specific Codes of Construction Practice (CoCPs) secured through Requirement 22 of the Draft Development Consent Order [REP2-002]</p>

		<p>(updated at Deadline 3). These must be in accordance with the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) which include standard construction hours; hence the stage specific documents must include hours of working. The stage specific CoCPs must be implemented as approved, and failure to comply with the terms will be an offence. This approach allows scope for a stage specific CoCP to include construction working hours to accommodate particular local circumstances within a stage if necessary, and the Applicant be held to comply with those tailored arrangements, which would not be possible if hours were specified on the fact of the DCO without an application for amendment.</p> <p>The Applicant has provided responses to Issue Specific Hearing 1 (ISH1) Action Point 13 within Deadline 2 Submission – 8.42 Category 8: Examination Documents – Applicant’s Response to Action Points Arising from Issue Specific Hearing 1 [REP2-018] provided at the Deadline 2 submission.</p>
14	The Applicant’s response (REP1-022) is noted. In principle, WSCC Highways are supportive of the number of temporary accesses being reduced where there are practical options to enable this. However, WSCC are in agreement there are identified constraints and environmental sensitivities (as outlined in REP1-022) that would result in the suggested haul road leading to adverse impacts.	The Applicant notes West Sussex County Council’s comment on being supportive of reducing the number of temporary accesses where there are practical options to enable this. The Applicant welcomes West Sussex County Council’s agreement that there are identified constraints and environmental sensitivities (as outlined in the Deadline 1 Submission – 8.25.3 Applicant’s Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses [REP1-022]) that would result in the suggested haul road leading to adverse impacts.
15	The Applicant’s response is noted and will be reviewed again following the submission of information at Deadline 2.	The Applicant notes a traffic management strategy to facilitate access along Kent Street by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).
16	The Applicant’s response (REP1-022) is noted. In principle, WSCC Highways are supportive of the number of temporary accesses being reduced where there are practical options to enable this. However, WSCC are in agreement there are identified constraints and environmental sensitivities (as outlined in REP1-022) that would result in the suggested haul road leading to adverse impacts.	The Applicant notes West Sussex County Council’s comment on being supportive of reducing the number of temporary accesses where there are practical options to enable this. The Applicant welcomes West Sussex County Council’s agreement that there are identified constraints and environmental sensitivities (as outlined in the Deadline 1 Submission – 8.25.3 Applicant’s Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses [REP1-022]) that would result in the suggested haul road leading to adverse impacts.
17	The Applicant’s response is noted. It’s recognised that this response is in relation to comments made by Cowfold Parish Council (REP-088).	The Applicant has provided the requested figures (Light Goods Vehicle (LGV) and workforce vehicle numbers travelling through Cowfold Air Quality Management Area to accesses A-57, A-56, A-53 and A-52) in the Deadline 1 Submission – 8.24 Applicant’s Responses to Relevant Representations [REP1-017] submitted at Deadline 1 in reply to Cowfold Parish Council [REP-088] . The relevant information is also included in the response to Action Point 17 within Deadline 1 Submission – 8.25 Applicant’s Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018] .
18	The issues raised relating to the use of Dragons Lane and potential issues with HGVS are noted. WSCC recognise that an operational access is intended from Dragons Lane. Any development related traffic is anticipated to be infrequent and minimal with HGVs expected only in exceptional	The Applicant can confirm that Dragons Lane is identified for use as an operational access only within Work No 15, shown on sheet 31 of the Onshore Works Plans [PEPD-005] and sheet 31 of the Access, Rights of Way and

	<p>circumstances. WSCC consider this to be more of a matter of management to be resolved with the landowners, and secured through outline documents where required, rather than road safety related.</p>	<p>Streets Plan [APP-012] and that any development related traffic is anticipated to be infrequent and minimal with heavy goods vehicles (HGVs) expected only in exceptional circumstances. The Applicant notes and agrees with West Sussex County Council's comment that this is a matter of management to be resolved with the landowners rather than road safety related.</p> <p>With respect to the use of Dragons Lane as an operational access The Applicant has provided a response to the Examining Authority's traffic and access Written Question TA 1.7 'Access Rights' [PD-009]) in The Applicant's Responses to the Examining Authority's Written Questions – (Document Reference: 8.54).</p>
20	<p>WSCC note the submission of REP1-023. Currently the Applicant is using LiDAR to estimate the existing elevations of the ordinary watercourse and the downstream lake. This will need to be checked, and confirmed, as the detailed design progresses. The final design of the substation should meet the principles of the Appendix 26.2: Flood Risk Assessment (FRA), Volume 4 of the ES (APP-216).</p>	<p>The final design of the substation will meet the principles of the Appendix 26.2: Flood Risk Assessment, Volume 4 of the Environmental Statement [APP-216] and the Outline Operational Drainage Plan [APP-223] (updated at Deadline 3). This will include further work and checks as part of the final Operational Drainage Plan for the onshore Oakendene substation at the detailed drainage design stage, post consent in accordance with Requirement 17 for surface water drainage in the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
21	<p>WSCC awaits the revised OCoCP submitted at Deadline 3 by the Applicant.</p>	<p>The Applicant has updated commitments C-5 and C-17 in Commitments Register [REP1-015] (provided at Deadline 1) to seek to address Action Point 21 as well as commitments C-18 and C-229. These are reflected in the updated Outline Code of Construction Practice [PEPD-033] submitted at Deadline 3.</p>
22	<p>The response is not clear to WSCC, as to whether the Applicant will provide the 'tabular data' requested, it seems to suggest this will be provided only if a review of errata indicates updates are required (as indicated in response to AP-23).</p>	<p>The Applicant has provided tabulated data in Table 1-2 of the Construction Access Technical Note (Document Reference: 8.61) submitted at Deadline 3.</p>
23	<p>The response is welcomed and some examples of conflict have been identified within WSCC's LIR (REP1-054). Any additional hedgerow loss should be accounted for in the BNG calculations at detailed design.</p>	<p>The Applicant has provided an update to Appendix 22.15 Biodiversity Net Gain Information, Volume 4 of the ES [APP-193] at Deadline 3 that includes the outcome of the access review provided in the Construction Access Technical Note (Document Reference: 8.61) submitted at Deadline 3.</p>
24	<p>The response is welcomed. Any changes identified from errata should be reflected in all relevant documents including arboricultural documents.</p>	<p>The Applicant is pleased the response provided to Action Point 24 within the Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018] is welcomed by West Sussex County Council. The Applicant can confirm any identified changes will be reflected across all relevant DCO Application documents identified in the Construction Access Technical Note (Document Reference: 8.61) submitted at Deadline 3.</p>
25	<p>The amendments to C-216 are welcomed, although concerns are raised towards C-216.</p>	<p>The Applicant has responded to WSCC's comments on commitments under reference 2.3.5 below.</p>
50	<p>For the purposes of the Traffic Generation Technical Note (REP1-008), Newhaven has been assumed as the operational port. Within the Abnormal Indivisible Loads Assessment (AP-196), Shoreham has been assumed as the likely local port from where AILs would commence their journey. It's apparent from both documents that these are assumptions. Whilst an AIL Assessment for the relevant port can be secured through the DCO process, there would seem benefit to considering alternate operational port locations or a commitment made to using Newhaven.</p>	<p>The operational base location will not be decided upon until after completion of the Examination. Any development of facilities at the operational base has not been included within the DCO Application and hence will be subject to obtaining any relevant consents.</p> <p>The Applicant considers that for the purposes of this assessment, the assumed location of the operations base at Newhaven and related estimated effects are reasonable and representative.</p>

		<p>Further information regarding the Applicant's intentions for the additional facilities at Newhaven Harbour are provided in the response to Issue Specific Hearing 1, agenda item 50 in the Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018].</p> <p>The Applicant has also provided a response to the Examining Authority's traffic and access Written Question TA 1.3 'Abnormal Indivisible Loads (AIL)' [PD-009] in The Applicant's Responses to the Examining Authority's Written Questions – (Document Reference: 8.54).</p>
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2.3.4 3 Response to submitted documentation by the Applicant at Deadline 1

3.1 Table 2 below provides WSCC response to a number of revised or newly created documentation by the Applicant at Deadline 1.

2.3.5 **Commitments Register Rev B (REP1-016)**

Commitments Register Rev B (REP1-016)		Applicant's Response
General	<p>In general terms this document is welcomed as it now seeks to show where the relevant commitments are referenced and what DCO Requirements they should link to. However, much of what WSCC have already set out in the WSCC LIR still applies, as its still unclear where the control documents specify how the individual commitments are secured and how they will be achieved. For example C19 links to DCO Requirement 10 (for which WSCC have not seen any draft document) and the CoCP which is silent on how phasing of reinstatement will occur.</p> <p>Each of the commitments need to be either clearly referenced in the individual requirements, or specifically addressed in individual control documents (if the commitments register says that's the mechanism to secure it). Rampion 1 OWF had 'measures of success' that set out what each of the DCO Requirements had to achieve (the DCO stipulated that each requirement submission had to demonstrate compliance with the measures of success). This example has been shared with the Applicant.</p>	<p>The Applicant has sought to provide cross-reference to this information in the 'Location of commitment in Application Documents' column of the Commitments Register [REP1-015] (updated at Deadline 3). The Applicant will engage with WSCC on specific queries.</p> <p>It is not considered necessary for a 'measures of success' document to be secured through the Draft Development Consent Order.</p>
C-216	Amendments to C-216 are welcomed, though where access from the highway is required within 25m of ancient woodland, the concerns with commitment C-220 needs to be considered.	The Applicant is pleased that amendments to commitment C-216 (Commitments Register [REP1-015] submitted at Deadline 2) are welcomed by West Sussex County Council. Please see below response reference 2.3.5 'C-220' .
C-220	This commitment remains of concern as it is felt many 'unforeseen circumstances' will be identified during detailed design. For example, where visibility splays are required at each access to meet DMRB standards (which are not currently shown on VRPs). The commitment only requires the Applicant to 'highlight' and provide 'justification' for any unforeseen circumstances which requires the removal of stated habitats; this wording provides no control of material changes which may be highlighted through detailed design.	The Applicant notes that the stage specific Code of Construction Practice is required to accord with the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) which includes a revised Vegetation Retention Plan. Should any changes be required, a new submission would be required and must accord with Requirement 36 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The submission would require approval from the Local Planning Authority. If the change resulted in new or materially worse environmental effects it would not be authorised by the DCO and either a separate consent or a change to the existing DCO would be required.
C-225	The changes to C-225 add further details of possible engineering solutions for avoidance of archaeological remains of high significance, if identified within the cable route. It also confirms that design solutions will be employed to minimise direct impacts upon any such remains. The changes to C-225 are therefore welcomed.	The Applicant notes that following updates to commitment C-225, the Outline Onshore Written Scheme of Investigation [APP-231] has been updated for submission at Deadline 3.

	<p>The Commitments are not secured in and of themselves. Therefore, as per the WSCC LIR, methodologies and pathways for securing engineering and design solutions should also be set out within the Outline Onshore WSI (AAP-231), which is secured by draft DCO (PEPD-010) Requirement 19.</p>	<p>In line with updates to commitment C-225 and comments from West Sussex County Council Archaeologist, a flow chart will be appended to the Outline Onshore Written Scheme of Investigation [APP-231] (updated at Deadline 3) to include procedures following discovery of previously unknown archaeological remains. This has been included in the updated Outline Onshore Written Scheme of Investigation [APP-231] submitted at Deadline 3.</p> <p>Commitment C-225 in Commitments Register [REP1-015] (updated at Deadline 3) is secured in the Outline Onshore Written Scheme of Investigation [APP-231] (updated at Deadline 3) which is secured in Requirement 19 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
<p>Traffic Generation Note, Rev B (REP1-009)</p>		
<p>3.1.51, Table 3.4</p>	<p>The baseline traffic data is noted. For Michelgrove Lane (P) and Kent Street (U), flows are estimated. There is limited information as to how these have been generated. Despite this, the estimates are accepted given that WSCCs interest is more in terms of how development traffic (for which accurate estimates have been provided) is to be mitigated. The need for mitigating measures have been identified through the WSCC LIR.</p>	<p>The Applicant notes that baseline traffic data for Michelgrove Lane (Highway Link P) have been estimated based from on-site observations due to traffic survey data being unavailable (Table 3.4 within the Traffic Generation Technical Note [REP1-008] (updated at Deadline 3)). Traffic surveys for Michelgrove Lane and Kent Street are programmed for completion by the Applicant in May 2024. Traffic surveys undertaken between 18 and 25 October 2023 (excluding data collected between the 20 and 22 October 2023 when an accident occurred on the A272 closing the road) have been utilised for the base traffic flows on Kent Street. These traffic surveys were collected as part of the planning application for the Enso Battery Storage System located west of Kent Street (Planning Application Ref: DC/24/0054).</p> <p>Kent Street carries only low volumes of traffic, with an average annual weekday two-way traffic flow of 96 vehicles (of which 24 were Other Goods Vehicle's (OGVs)/HGVs) recorded in the survey. The following documents have been updated at Deadline 3 to reflect the revised traffic flows on Kent Street:</p> <ul style="list-style-type: none"> • Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3); and • Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the Environmental Statement (ES) [REP1-008]. <p>Further to this, Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] will be updated and submitted at Deadline 4. Given that the baseline flows assumed average annual weekday two-way traffic flow of 100 the change in baseline traffic flow will not alter the assessment conclusions presented in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]..</p> <p>The Applicant notes a traffic management strategy to facilitate access along Kent Street and Michelgrove Lane by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has provided detailed responses to West Sussex County Council's Local Impact Report (Appendix C in relation to traffic and transport comments)</p>

		and Written Representations within Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant’s Responses to West Sussex County Council Deadline 1 Submissions [REP2-020] .
4.1.13	The core hours are acknowledged. As requested through the WSCC LIR, a commitment should be included to limit the number of HGV movements during network peak hours particularly where there are known congestion issues and sensitive receptors. The shoulder hour referred to in 4.1.14 will assist in spreading general staff movements but further specific comment should be included regarding HGV movements.	Please see above response Reference 2.3.3 ‘Action Point 12’ .
4.1.14	There are a number of activities listed as permitted within the shoulder hour. This includes deliveries and unloading. This implies that HGV/deliveries will be made throughout the AM peak hour. This change will allow HGVs to arrive and depart from 0700 until 1900. See concerns raised with this above.	
5.3.2, Table 5.1	Two accesses are no longer proposed (A50a and A50b). These were simply spurs off A50, which provides the direct highway access. The actual number of accesses onto the highway remains unchanged.	The Applicant can confirm that Accesses A-50a and A-50b remain part of the Proposed Development. The construction traffic flows presented in Table 5.1 of the Traffic Generation Technical Note [REP1-008] (updated at Deadline 3) shows only details of construction traffic movements associated with junctions to / from the public highway.
5.7.2	The construction period is now indicated as five years (2025 to 2030) rather than four.	The anticipated worst-case total construction duration for all onshore infrastructure to be complete, operational and for full landscape reinstatement is approximately four years as stated in Section 4.7 of the Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES) [APP-045] . The Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] have been updated and submitted at Deadline 3 to ensure a consistent programme length has been stated throughout the documents.
5.9.1	Reference is made to a maximum construction duration of four years. This is contradicted in 5.7.2 and in Graphic 5-1.	
Table 6.1	This table includes four years of construction. Clarification is needed on the correct construction duration and consistently stated through the documentation.	
Outline Construction Traffic Management Plan, Rev C (REP1-011)		
3.6.1	Four years is again stated as the construction period. This is already contradicted within the Traffic Generation Note and within 3.6.3 of the OTCMP. This does need to be confirmed.	Please refer to the Applicant’s response above references 5.7.2, 5.9.1 and Table 6-1 related to the Traffic Generation Technical Note [REP1-008] (updated at Deadline 3).
Tables 4-1 and 4-3	Accesses A50a and A50b are understood to no longer be proposed. These are still included in these tables however.	Please refer to the Applicant’s response in references 5.3.2, Table 5-1 related to the Traffic Generation Technical Note [REP1-008] (updated at Deadline 3).
Table 5-3	There is a difference in the number of HGVs using A56 listed within this table to that listed in table 6-7 in the Traffic Generation Note. The two tables should be checked for consistency and updated.	The Applicant acknowledges the consistency error in Table 5-3 of the Outline Construction Traffic Management Plan [REP1-010] . This has been updated at Deadline 3 to be consistent with the values contained within the Traffic Generation Technical Note [REP1-008] (updated at Deadline 3).
8.4.7	The core hours are acknowledged. As requested through the WSCC LIR, a commitment should be included to limit the number of HGV movements during network peak hours particularly where there are known congestion issues. The shoulder hour referred to in 8.4.8 will assist in spreading general staff movements but further specific comment should be included regarding HGV movements.	Please see above response Reference 2.3.3 ‘Action Point 12’
8.4.8	There are a number of activities listed as permitted within the shoulder hour. This includes deliveries and unloading. This implies that HGV/deliveries will be made throughout the AM peak hour.	

8.4.14	Again, this includes quite a general point regarding HGV movements taking place during core hours. As already noted, it would be appropriate to limit HGV movements during network peak times where there are known congestion and other concerns.	
8.4.17	Whilst this point potentially relates to more amenity related impacts from HGVs, the inclusion of the 'shoulder hour' could be seen as contradictory as this permits HGVs to arrive and depart unrestricted between 0700 and 1900 Monday to Friday.	Please see above response Reference 2.3.3 'Action Point 12'
8.4.28	The strategy should include local residents where these are directly affected. The strategy itself will need to be developed as it's too high level at present. For example, there are no details as how information will be communicated. A website would seem to present the easiest way to communicate information with targeted letter drops/emails for more localised issues. Further engagement with WSCC would be required on this.	<p>As set out in Paragraph 2.6.1 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), The Applicant will produce a Construction Communications Plan (CCP) prior to the commencement of construction, for approval of the relevant planning authorities (secured by Requirement 34 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3)). The CCP will:</p> <ul style="list-style-type: none"> • outline the Proposed Development; • build on stakeholder engagement carried out throughout development to strengthen relationships with key stakeholder organisations and individuals, alongside the wider community; • identify a range of communication tools, methods and opportunities to reach this target audience and enable them to reach the construction team; • include a range of communication materials designed to reach the target audience; • include a series of tailored Communication and Mitigation Plans to provide more detail for local communities along the 38.8km onshore cable route; • produce dedicated Communications Plans for special interest user groups, such as fishers, diver and public rights of way users; and • set out the complaints procedure.
8.4.29	Notice periods for works requiring road closures, and consequently Temporary Traffic Regulation Orders, will be governed by WSCC requirements.	Requirement 15 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) details powers to alter the layout of streets in relation to construction, operation and maintenance of the Proposed Development. This includes a timeframe of 28 days for the highway authority to provide consent for such works.
Appendix A	There are several amendments to indicate existing accesses are to be used rather than new accesses created. For the most part these changes are self explanatory with there being clear existing accesses in place. It's not clear for A37 though. In this location, there doesn't appear to be an existing access. This should be clarified by the Applicant. The need for A37 has been raised by WSCC through the LIR, with access seemingly being achievable via A38.	The Applicant can confirm that there is an access available to A-27 and A-37 via an existing wooden gate adjacent to the highway. There is also an access available to A-38 also via an existing wooden gate. The Outline Construction Traffic Management Plan [REP1-010] has been updated at Deadline 3
SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note (REP1-037)		
General	This document has not taken account of matters raised by WSCC, in the RR (RR418) and supplemented in the WSCC LIR. It is acknowledged that there has been an evolution in offshore design and reduction in offshore DCO Limits prior to submission, which has been welcomed by WSCC. However, the iterative changes to the design of the offshore elements has not resulted in a major reduction to the potential visual effects upon West Sussex receptors. Further discussions are needed on how design principles for the detailed design elements of the Project would help reduce the significant effects predicted.	<p>The Applicant notes West Sussex County Council's acknowledgment and welcoming of the evolution in offshore design and reduction in offshore proposed DCO Limits prior to submission. The Applicant will continue to engage with West Sussex County Council on matters regarding seascape, landscape and visual effects.</p> <p>The Applicant has provided detailed responses to West Sussex County Council's Local Impact Report and Written Representations within Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020].</p>

2.3.6 3.2 WSCC have been progressing dialogue with the Applicant on topic areas within the Statement of Common Ground (SoCG) since Deadline 1 and reaching agreement in areas where possible. There are however, areas of disagreement remaining. WSCC wishes to engage proactively with the Applicant to reduce these areas of concern and seek to achieve the best possible outcomes for the local communities and other sensitive receptors that would be most affected by the construction and long-term operational impacts of the Project.


The Applicant welcomes West Sussex County Council's wish to proactively engage to reduce the areas of concern and seek the best possible outcomes for the local communities and other sensitive receptors.

3. Applicant's response to Parish Councils Deadline 2 submissions

Table 3-1 Applicant's response to Shermanbury Parish Council's Deadline 2 submission

Ref	Deadline 2 submission	Applicant's response
2.1.1	<p>The Overland Cable</p> <p>Shermanbury Parish Council is not convinced that the proposed cross-country route is the most efficient and cost-effective option available. Given the environmental and human impact, other routes should be seriously considered. Other schemes around Europe use undersea cables to access their coastline sub-stations. With local knowledge of the inevitable difficulties associated with the latest, detailed management plan we feel that solutions to problems associated with the undersea route to Dungeness and Fawley, for example, which would have significantly fewer adverse consequences, have not been sufficiently explored as a possibility, and the current proposal appears to be the exception to the general rule as a national strategy.</p>	<p>Chapter 3: Alternatives, Volume 2 of the Environmental Statement (ES) [APP-044] describes the alternatives studied by the Applicant and a comparison of their environmental effects across the Proposed Development as a whole. This includes the alternatives considered and consulted on prior to the Development Consent Order (DCO) Application submission in August 2023. As described in Chapter 3: Alternatives, Volume 2 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 identified the preferred onshore cable route based on evidence and justification and 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.</p> <p>The Applicant refers to Deadline 1 Submission – 8.25.1 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 1 – Further Information for Action Point 3 – Fawley and Dungeness [REP1-019] for further detail on why these options were discounted.</p>
2.1.2	<p>We also feel that the applicant has not sufficiently investigated strategies to overcome problems which would enable them to follow the Rampion 1 cable corridor towards Bolney which is readily available for development.</p>	<p>The Applicant considered using the route of the existing Rampion 1 export cable for its own export cable, which is described in Section 3.4 of Chapter 3: Alternatives, Volume 2 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 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</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 minimise cost to the end consumer, which prevents developers from building speculative/spare capacity. The cables for Rampion 1 were therefore rated at a maximum capacity of 400 MW.</p> <p>There are a number of pinch points where the land is congested with environmental and physical constraints. The original landfall location at Brooklands Pleasure Park, in Lancing, is highly congested with underground pipes and services, as well as cables from the Rampion 1 scheme. There are significant constraints at Teville Stream and at the old landfill site at Brooklands. Further north at Tottington Mount, the original Rampion 1 onshore cable route has utilised the available width on the crest of the hill, such that a parallel route would require 'benching' into the side of a hillside (such as used for roads/railways running across slopes), which has potential significant and unacceptable impacts due to visual and habitat sensitivities.</p> <p>The Rampion 1 onshore and offshore transmission assets have been integrated into the National Grid through the OFTO (Offshore Transmission operator) regime and is now owned and operated by TC Rampion OFTO Limited. Therefore, the Applicant does not own or operate the network.</p>
2.1.3	<p>Environmental Impact</p> <p>Shermanbury Parish Council has studied this aspect in depth and fully endorses the impact statement recently written by Meera</p>	<p>The Applicant understands that a heavy goods vehicle (HGV) holding area was required for the Rampion 1 project given the need for all construction vehicles to access the substation and compound on Wineham Lane. As the Proposed Development includes the Oakendene substation and compound that can be accessed directly from the</p>

Ref	Deadline 2 submission	Applicant's response
	Smethurst, (Doc. Library Ref: REP1-133), especially concerning heavy use of the route through the centre of Cowfold by HGVs during the construction phase; safety issues and increased congestion on the A272; underestimation of the increase in air pollution; unsuitability of Kent Street for access to the site; and refusal to consider a holding bay for construction traffic	A272, (which forms part of West Sussex County Council's lorry route network) it is not considered necessary to implement an HGV holding area.
2.1.4	The visual impact of the proposed site would also irrevocably change the natural, countryside character of the area around Oakendene and Kent Street.	The likely significant landscape and visual effects of the Proposed Development have been assessed in the Chapter 18: Landscape and visual impact, Volume 2 of the Environmental Statement (ES) [APP-059]. Wherever practicable, likely significant adverse effects have been avoided or minimised through the implementation of embedded environmental measures as part of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements.
2.1.5	Kent Street According to the proposed application, Rampion would have access from the A272 through location A63 from which the cable route can be directly accessed. We are, therefore, firmly of the opinion that the use of Kent Street for construction vehicles would be unnecessary, and as it would be environmentally damaging and logistically challenging it should be avoided altogether.	The Oakendene Substation Construction Compound (construction access A-63) is the northernmost part of the Proposed Development and from here the proposed DCO Order Limits extend along the cable construction corridor to the south west. However, the Applicant is seeking to retain the treeline at the south of the substation site as it provides visual screening, so it will not be possible access the cable route from the substation. The Applicant has provided responses to Action Points 14 and 16 following Issue Specific Hearing 1 within Deadline 1 Submission – 8.25.3 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 3 – Further information for Action Point 14 and 16 – Construction Accesses [REP1-022] which clarifies why additional construction accesses along this corridor are necessary to facilitate the construction phase, and why the construction cannot be undertaken by operating a continuous haul road from either construction access A-63 towards the south or from access A-50 towards the north.
2.1.6	If this is not deemed possible by the Inspectorate then access to construction traffic should not be permitted to navigate Kent Street to the south beyond A64, making use of the land Rampion is already occupying or, at the very least, no further than A61 (both thoroughly screened from the lane.) No derogation from this restriction should be allowed. This would help to alleviate the problems with access for local residents.	HGV access to accesses A-64 and A-61 is from the A272, and there will be no need for HGVs to use Kent Street south of these accesses.
2.1.7	Kent Street is a very narrow, single-track lane with no passing places and drainage ditches on either side which would impede attempts at widening. The environmental impact and the rural nature of the area would also render any widening scheme impractical and unacceptable. At present the lane often suffers from blockages and severe traffic congestion, making access exceedingly difficult for farm vehicles, cyclists, equestrians, walkers, and the residents who use it regularly. This is further exacerbated by general traffic flow to and from the A272 which increases when there are incidents or hold-ups on the main road, turning Kent Street into a 'rat run'. The T junction at the northern end is very hazardous.	Section 4.7 of Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES) [APP-045] provides a summary of the indicative construction programme that has informed the assessments within the ES. Schedule 1, part 3, Requirement 10 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) secures that the detail of the stages (equivalent to phases) of works are to be submitted and approved by the relevant planning authorities. The anticipated worst-case total construction duration for all onshore infrastructure to be complete, operational and for full landscape reinstatement is approximately four years. This is detailed in Section 4.7 of the Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045]. The likely significant transport effects associated with the construction phase of the Proposed Development on Kent Street have been assessed in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-009] (updated at Deadline 3). It is concluded that, during the construction phase, the Proposed Development will result in significant effects related to pedestrian amenity, pedestrian delay and fear and intimidation during peak construction activities.
2.1.8	The absence of passing places alone would render the planned target of 1320 2-way HGV movements and 828 2-way LGV movements per week unattainable. Lorries meeting in the middle would have no way of passing and nowhere to turn around, with	Whilst the peak of construction traffic is predicted to lead to a significant transport effect, this peak of construction activity is short term, lasting approximately two weeks, which are not continuous. Outside of these two construction

Ref	Deadline 2 submission	Applicant's response
	<p>traffic backing up behind them. Reversing into a major 'A' road would also be impractical and dangerous.</p>	<p>peak weeks, it is predicted that heavy goods vehicle (HGV) flows will be more than 10 vehicles per day (one per hour) for only 13 weeks of the construction phase and this is not predicted to lead to a significant transport effect.</p>
2.1.9	<p>The use of Kent Street or the A272, on a daily basis, by this highly significant number of extra vehicles will require a logistics plan to ensure a free flow of traffic in both directions. No plan has, as yet been created, and from the experience of Rampion 1, a staging point for HGVs is essential to manage traffic flow.</p>	<p>Environmental measures will be implemented to manage the potential effects from construction traffic. These are detailed in the Commitments Register [REP1-015] (updated at Deadline 3) and are secured through the Outline Construction Traffic Management Plan (CTMP) [REP1-010], Outline Construction Workforce Travel Plan [APP-229] (updated at Deadline 3), Outline Public Rights of Way Management Plan [APP-230] (updated at Deadline 3) secured through requirements 24 and 20 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
		<p>The Applicant notes a traffic management strategy to facilitate access along Kent Street by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
2.1.10	<p>Shermanbury Parish Council has carefully considered and fully endorses the Planning Inspectorate Document Library Reference: REP1-139.</p>	<p>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 Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
2.1.11	<p>The nature of Kent Street and its rural construction was not intended for constant, heavy traffic. We are concerned that over-use will severely damage the road surface, and the culverts, including one installed by the national grid, will be at risk of collapse. The road surface would need to be constantly monitored and maintained to ensure that local residents can use their cars and agricultural vehicles throughout the construction period</p>	<p>As stated in Section 8.4 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), highway condition surveys would be undertaken prior to the commencement of construction and after completion of construction works. The surveys may include all local access routes, access junctions and verges used by construction traffic but the scope, extent and requirement of any survey may vary from location to location and will be agreed with West Sussex County Council or National Highways / as applicable.</p>
2.1.12	<p>There is no detail highlighting the proposed length of construction. Given the extreme duration of this development the project requires a logistics plan which includes all current road users as well as the proposed Rampion traffic. Given the high number of equestrian users along Kent Street and adjoining rural lanes priority in any plan must be given to ensure their safety.</p>	<p>In addition to undertaking surveys prior to, and on completion of the construction works, the contractor would also undertake regular inspections of the highway network to identify any emerging issues (such as damage to verges or potholes forming). Where emerging issues are identified as a result of the Proposed Development, the contractor would notify West Sussex County Council / National Highways and either repair the issue or ask West Sussex County Council / National Highways to undertake the repairs (with costs being recharged to the contractor).</p>
2.1.13	<p>Residential Access</p>	<p>Any works within the highway limits will be reinstated to a standard commensurate to that prior to the commencement of the construction works and agreed with the relevant highways' authority (West Sussex County Council), as per commitment C-160 (Commitments Register [REP1-015] (updated at Deadline 3) secured through the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) via Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3)) which covers both the condition surveys and subsequent repairs.</p>
	<p>An agreement must be established with all residents requiring access to Kent Street, including Kings Lane, to ensure constant, day and night access.</p>	<p>The strategy to maintain private means of access during this period is described in Paragraph 5.7.10 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). 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"> • 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; • All crossings of private means of access will be developed to allow emergency access at all times;

Ref	Deadline 2 submission	Applicant's response
2.1.14	A281 Crossing Shermanbury Shermanbury Parish Council has concerns regarding the route of HGVs accessing Rampion locations A56/57 on the A281. The roads through the three villages on the potential routes into Shermanbury are all currently highly congested. In particular, Cowfold's traffic jams feature daily on travel bulletins, and there are usually lines of parked cars on both sides of the A281 out of the village towards Shermanbury which makes transit very slow. This busy road becomes particularly congested before 09.30 and after 16.30 each day when commuter traffic and the school run coincide to create difficulty accessing the congested A272. Shermanbury Parish Council recommends that construction and maintenance vehicles avoid these hours.	<ul style="list-style-type: none"> 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; 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; Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and 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. <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), pursuant to Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>
2.1.15	Henfield village centre is also very busy, with cars parked on both sides of the road. Large vehicles tend to create chaos and frustrating delays; therefore, this route is likewise unsuitable for the planned, heavy site traffic.	<p>The likely significant transport effects associated with the construction phase of the Proposed Development have been assessed in Chapter 32: ES Addendum of the Environmental Statement (ES) [REP1-006], and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] (updated at Deadline 3). At peak construction, taking account of the construction traffic routing contained within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the impacts listed below have been identified along the A281:</p> <ul style="list-style-type: none"> At A281 south of Cowfold (Receptor 23): <ul style="list-style-type: none"> A heavy goods vehicle (HGV) peak week increase of 12 HGVs per day, equivalent to an increase of 7.5% and approximately one HGV per hour; and 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. At A281 within Shermanbury north of the B2116 (Receptor I): <ul style="list-style-type: none"> An HGV peak week increase of 12 HGVs per day, equivalent to an increase of 3.1% and approximately one HGV per hour; and 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 0.8% increase in total traffic flow. At A281 within Shermanbury south of the B2116 (Receptor 22): <ul style="list-style-type: none"> An HGV peak week increase of 48 HGVs per day, equivalent to an increase of 12.6% and approximately four HGVs per hour; and A total construction traffic peak week increase of two HGVs per day and 69 light goods vehicles (LGVs) per day (5-6 per hour), equivalent to a 0.8% increase in total traffic flow. At A281 within Henfield (Receptor M): <ul style="list-style-type: none"> An HGV peak week increase of 48 HGVs per day, equivalent to an increase of 13.0% and approximately four HGVs per hour; and A total construction traffic peak week increase of 37 HGVs per day and 15 light goods vehicles (LGVs) per day (4-5 per hour), equivalent to a 0.6% increase in total traffic flow. <p>Based upon these estimated increases in traffic flow, Chapter 32: ES Addendum of the Environmental Statement (ES) [REP1-006] concludes that the Proposed Development will not generate any significant effects to transport users on the A281.</p>

Ref	Deadline 2 submission	Applicant's response
2.1.16	The planned construction sites in the area are generally located on frequently saturated clay. Washing facilities for vehicles must be available before the A281 is accessed from the cable route.	Please see responses references 2.1.25, 2.1.22 and 2.1.23 below.
2.1.17	We feel that Shermanbury Parish residents must be afforded respite periods during which there is no significant noise and disruption from construction work and allied activities.	
2.1.18	<p>Partridge Green</p> <p>The B2116 is a busy, east/west, bus and commuter route which is extensively used to avoid the traffic jams at Cowfold. Single-line traffic causes significant disruption in the already congested heart of Partridge Green which has long lines of parked cars, and existing traffic calming pinch-points. Shermanbury Parish Council is deeply concerned by the decision not to drill under the road and firmly recommends that both lanes of traffic are maintained throughout. This is a view endorsed by West Grinstead Parish Council.</p>	<p>As part of the update to the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), Table 5-2 and Figure 7.6.6c was updated to remove heavy goods vehicle (HGV) routing along the B2116 west of A-53. HGV construction traffic will therefore not be permitted to route through Partridge Green.</p> <p>As set out in Table 7-1 in the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), there are two highway crossing locations that have been identified within the proposed DCO Order Limits that are required to be crossed by open cut trench method. Of these two highway crossing locations, one is located on a single carriageway road, with one lane per direction. This is crossing 17 (RDX-1dw-17), on the B2116.</p> <p>At this highway crossing location, temporary construction traffic management will be deployed. This will involve either the use of temporary traffic signals or manned stop/go boards to allow the road to remain open or temporary full road closure. The preferred temporary traffic management strategy for the B2116 will be confirmed during detailed design as part of a stage specific CTMP. Stage specific construction traffic management plans will be produced in adherence of controls contained within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>All temporary construction traffic management implementation plans will need to be approved by WSCC and will be applied in accordance with guidance and procedures as defined within Section 14 of the Road Traffic Regulation Act 1984.</p>
2.1.19	There is also a concern that even a limited number of HGVs accessing the site through Partridge Green High Street will cause absolute chaos. Shermanbury Parish Council recommends that a logistics plan is created for the B2116 crossing and works access to ensure that the planned supply of materials is both practical and possible without severe detriment to the normal and essential uses of the B2116. Any logistics plan must be set up in tandem with the coexisting plan for Kent Street and the A272.	
2.1.20	There may be a conflict within the HDC Draft Plan for 120 new homes at Dunstons Farm which is in close proximity to the cable crossing route. Coincidental development would increase traffic pressure even further.	All estimates of future baseline traffic flows used within used within Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] were based on TEMPro forecasts, which is a program developed by the Department for Transport providing traffic growth projections. These projections take account of national and local predicted growth in population, employment, housing (including sites allocated in the Local Plan) and is the industry standard approach to assessing future baseline traffic. Use of this methodology was agreed with West Sussex County Council and National Highways during consultation.
2.1.21	<p>The impact of concurrent traffic restrictions and local infrastructure.</p> <p>There are currently several planning applications for energy projects in the immediate vicinity of Wineham, including four lithium-ion battery storage facilities and a solar farm. Any concurrent construct would greatly increase congestion and industrialisation in the area, and would, potentially, have a negative impact on each developer and the local community.</p>	
2.1.22	In light of the limited alternative routes for an effective diversion, and the lack of a logistics plan which incorporates local usage as well as Rampion 2 vehicles, a credible, detailed infrastructure plan must be established to avoid the gridlock and chaos that will ensure. This is a highly productive commercial area and a long-	An Outline Construction Traffic Management Plan (CTMP) [REP1-010] (updated at Deadline 3) has been produced as part of the Development Consent Order (DCO) Application which includes mitigation measures to limit the impacts of construction traffic associated with the Proposed Development. Stage specific CTMPs will be produced following the grant of the DCO and prior to construction of that stage of works which will follow the controls defined within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) secured through

Ref	Deadline 2 submission	Applicant's response
	<p>term activity which will limit trade is not in the best interest of the local community.</p>	<p>Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). These will be agreed with the Local Highway Authority (West Sussex County Council) in consultation with Mid Sussex District Council within its area or the relevant local planning authority.</p>
2.1.23	<p>Conditions to Impose Set Working Hours</p> <p>In order to protect the amenities of all residents during the construction period, time limits must be in place and there must be no derogation from the restricted working hours.</p> <ul style="list-style-type: none"> ● 08.00 - 18.00 hours Monday - Friday, and ● 09.00 - 13.00 hours on Saturday ● No works on Sundays or Bank Holidays <p>Should any temporary deviation to the specified times be permitted, these should be</p> <ul style="list-style-type: none"> ● 7.00-8.00 and 18.00-19.00 Monday to Friday 	<p>Working hours are outlined in Section 4.4 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). Following receipt of Relevant Representations and information shared at Issue Specific Hearing 1, commitment C-22 within the Commitments Register [REP1-015] was 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. Prior to and following the core working hours Monday to Friday, a ‘shoulder hour’ for mobilisation and shut down will be applied (07:00 to 08:00 and 18:00 to 19:00). The activities permitted during the shoulder hours include staff arrivals and departures, briefings and toolbox talks, deliveries to site and unloading, and activities including site and safety inspections and plant maintenance. Such activities shall not include noise generating activity including use of heavy plant or activity resulting in impacts between objects resulting in loud noises, ground breaking or earthworks.”</i></p>
2.1.24	<p>Only quiet setting up and closing down of the construction site areas should be permitted during these times, and no loading or unloading of HGVs or other deliveries.</p>	<p>This has been updated in the Outline Construction Traffic Management Plan [REP1-010] at the Deadline 1 submission and in the Outline Code of Construction Practice [PEPD-033] at Deadline 3 and is secured through Requirement 22 of the Draft Development Consent Order [REP2-002].</p> <p>As outlined in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), no activity outside these hours (including Sundays, public holidays, or bank holidays) will take place apart from under the following circumstances:</p> <ul style="list-style-type: none"> ● Where continuous periods (up to 24 hours, 7 days per week) of construction work are required for HDD (as HDD is a continuous activity that cannot be paused once started); ● for other works requiring extended working hours such as concrete pouring which will require the relevant planning authority to be notified at least 72 hours in advance; ● or the delivery of abnormal loads to the connection works, which may cause congestion on the local road network, and will require the relevant highway authority to be notified at least 72 hours in advance; or ● as otherwise agreed in writing with the relevant planning authority.
2.1.25	<p>In addition, conditions should be imposed at all times to ensure:</p> <ul style="list-style-type: none"> ● All HGVs are fitted with "white noise" reversing beepers. ● Any lighting should be carefully controlled on construction sites and turned off at night. ● There should be no use of generators out of consented hours. ● Wheel washing facilities must be in place at all areas of construction 	<p>Section 5.3 of the Outline Code of Construction Practice [PEPD033] (updated at Deadline 3) details the practical measures and monitoring procedures that will be implemented to manage the impact of dust in construction areas (see Outline Air Quality Management Plan (Document Reference: 8.62)). This includes implementing a wheel wash system with rumble grids to dislodge accumulated dust and mud, prior to leaving site, where reasonably practicable.</p> <p>Section 3 of the Outline Noise and Vibration Management Plan (Document Reference: 8.60) details the practical measures that will be implemented to manage the impact of noise generated during construction. This includes ensuring plant and machinery is turned off when not use and applies to generators. Generators will be low-noise models with manufacturers' acoustic packs and silencers fitted, and located in a position that they are screened by site buildings and/or temporary acoustic screening. This also includes the avoidance of reversing, where practicable and the fitting of low noise reversing warnings to pertinent vehicles.</p>

Ref	Deadline 2 submission	Applicant's response
2.1.26	<p>The Consultation Process.</p> <p>The consultation process to date, organised by the applicant (Rampion) has failed to discuss issues regarding access to the existing infrastructure. The issues raised in this consultation response highlight the fact that considerable and extensive planning is still required to ensure that the proposed development process mitigates disruption as far as possible and will prove practical.</p>	<p>Section 4.5 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) details the measures that will be implemented to manage the impact of construction lighting, including considerate positioning and directing (for example Commitment C-200). Construction will be limited to core working hours outlined in Section 4.4 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) to limit the need for artificial lighting. At specific locations where continuous working is required (such as trenchless crossings), or in poor light conditions, directional lighting will be used where necessary to ensure safety and security.</p> <p>Procedures and measures stated in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) including the Outline Noise and Vibration Management Plan (Document Reference: 8.60) and Outline Air Quality Management Plan (Document Reference: 8.62) are secured through Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant previously provided detailed and extensive information in advance of the Development Consent Order (DCO) Application submission to support consultations, including Preliminary Environmental Information Reports (published 2021, 2022, and 2023), draft Works Plans and a Draft Development Consent Order (submitted as part of the DCO Application in August 2023), which go far beyond the standards required by legislation and guidance. These have been supplemented by public facing consultation brochures and websites to summarise this information and signpost further detail. Throughout the consultations, the project team responded to queries by phone, email, online presentations, and (after COVID-19 pandemic restrictions were lifted) in-person information events (see Consultation Report [APP-027 to APP-030]).</p>
2.1.27	<p>We recommend that the Planning Inspectorate instates a programme of detailed, unbiased evaluation of alternatives before any final decision is reached.</p> <p>Without an appropriate plan this project will not work.</p>	<p>The Applicant has no further comment on this matter at this time.</p>

Table 3-2 Applicant's response to Washington Parish Council's Deadline 2 submission

Ref	Deadline 2 submission	Applicant's response
2.2.1	Written Representation on behalf of the Washington Parish Council (IP Ref 20042011) as Trustee to the Washington Recreation Ground Charity (IP no 20042008).	The Applicant refers to responses provided to Washington Parish Council's Relevant Representation in Table 3-18 within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] .
2.2.2	Washington Parish Council is the sole trustee of the Washington Recreation Ground and Allotment Land which is within the Order Limits. It is understood that part of this land, namely Plot Numbers 22/8 and 22/9 as stated in the Applicant's Book of Reference [APP-026] is subject to compulsory acquisition powers in the draft Development Consent Order. The Parish Council is both an Interested and Affected Party for the purpose of Section 59(4) of the Planning Act (2008).	The Applicant has no further comments on this matter at this time.
2.2.3	As Trustee, the Parish Council is concerned about various aspects of the proposed route and corridor on its land. For example, further clarification is required for details of the effect on established vegetation, such as hedges and mature trees situated on the path of the proposed easement.	
2.2.4	Both the Recreation Ground/Village Green and Allotment are registered Community Assets and protected green spaces in the adopted Storrington & Sullington and Washington Neighbourhood Plan, as explained in their Written Representations to the Examiner on 20th September 2023. The Parish Council requests the right to be heard/make representations at any forthcoming Compulsory Acquisition Hearings (CAH) in order to have the opportunity to explain their concerns to the Examining Authority. If they cannot be heard/make representations at the CAH, they request to be heard/make representations at future Open Floor Hearing/s.	

4. Applicant's Response to Prescribed Consultees' Deadline 2 Submissions

Table 4-1 Applicant's Response to Natural England's Deadline 2 Submission

Ref	Deadline 2 Submission	Applicant's Response
Natural England Cover Letter		
2. Technical notes to address the first set of Issue Specific Hearing (ISH) Action Points		
2.1.1	While Natural England welcomes the provision of the technical notes to address the first set of Issue Specific Hearing (ISH) Action Points relating to environmental matters; Natural England advises that unless there are further updates to ES chapters, and/or named plans, any responses and commitments made by the Applicant within these documents will not be secured and therefore will not necessarily be 'pulled through' to the post consent phases.	The Applicant has provided further information into the Examination within technical notes and responded to representations received to address concerns raised by Interested Parties including Natural England. It is the Applicant's intention to update the Environmental Statement Chapters and DCO Control Documents as required throughout the Examination to reflect outcomes / agreements / commitments to ensure these are adequately secured in the DCO/ deemed Marine Licence (Dml).
2.1.2	We therefore require our risks and issues to be addressed by the Applicant in updated ES chapters, Named Plans and DCO/dML conditions, in order to provide a clear audit trail through to post consent phases. All documents (including technical notes) should be clearly catalogued by the Applicant for easy reference during the projects post consent phases (some of which last 10+ years) as the Planning Inspectorate (PINs) do not retain this information on their website.	
2.1.3	We therefore highlight that in order to not confuse matters during the remainder of the examination and reflecting the number of outstanding issues; it would be beneficial for the Applicant to focus on updating the Environmental Statement and/or named plans to reflect outcomes/agreements/commitments during Examination. If this is not undertaken, where the Applicant's representations have structured their responses as standalone 'comments on comments', Natural England will only be able to provide limited responses.	
3. Terrestrial Ecology		
2.1.4	Our review of the documents submitted since our relevant/written representations have raised some significant terrestrial ecology concerns, particularly in relation to protected species, which we note are also reflected by other interested parties' submissions. We are conducting a thorough review as expediently as possible alongside our wildlife licensing colleagues. We intend to provide an additional submission direct to the Applicant and PINs. We apologise for any inconvenience this may cause, but in submitting outside the Deadline schedule we hope to give the Applicant the fullest opportunity to review and respond to our concerns, rather than wait to Deadline 3. This will include responses to the documents pertaining to terrestrial ecology submitted at the Pre-Exam Procedural Deadline and Deadline 1, as well as The Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters [PD-008], where these relate to terrestrial ecology matters. We will also update the terrestrial ecology section in the risk and issues log.	The Applicant notes that further information regarding ecology concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.

Table 4-2 Natural England's Comments on [REP1-036], [REP1-012], [REP1-025] and [REP1-030] in relation to Physical Processes and Benthic Ecology

Ref	Natural England Comment	Applicant's Response
2.1.8	<p>In formulating these comments, the following documents have been considered:</p> <ul style="list-style-type: none"> • [REP1-036] - 8.34 Benthic - Subtidal benthic characterisation survey report appendices • [REP1-012] - 7.17 In Principle Sensitive Features Mitigation Plan • [REP1-025] - 8.25.6 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 6 – Further information for Action Point 7 – Horizontal Directional Drilling at Climping Beach • [REP1-030] - 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 46 – Physical Processes and Benthic 	The Applicant notes the documents listed by Natural England.
2.1.9	<p>1. Summary</p> <p>Further information for Action Points (7,45,46)</p> <p>1. Natural England has provided detailed comments on the further information for Action Points (7,45,46) in Table 1 below.</p>	The Applicant has considered the detailed comments from Natural England and provided responses below.
2.1.10	<p>2. In summary Natural England's position remains that further information is required to address the points raised within our relevant representations. We advise that insufficient information and data, and assessment thereof, is available to understand the feasibility of HDD at the landfall and that future coastal change has been adequately accounted for.</p>	The Applicant has provided detailed responses to each of the points raised by Natural England below.
2.1.11	<p>3. In relation to the use of gravel bags to ground installation vessels in the nearshore we advised in our relevant/written representations that a full appraisal of all possible options in relation to nearshore grounding is required to ensure that the least environmentally impactful option is being progressed. We advise this has not been presented.</p>	<p>The Applicant has provided an impact assessment to support the requirement for grounding the cable installation vessel in order to install the export cables as the previously adopted alternative (floatation pits) used at the Rampion 1 OWF project was discounted for the Proposed Project following engagement with consultees, notably through the Evidence Plan Process. This assessment was detailed within the Applicant's Deadline 1 Submission – 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 4 – Physical Processes and Benthic [REP1-030]. The use of gravel bags will be required in the situation where the cable installation vessel will need to ground to enable the installation work to proceed, but the pre-construction survey information has demonstrated a risk that the cable lay vessel could be damaged by grounding The grounding of the cable installation vessel. The use of gravel bags during the grounding of the vessel is regarded as the maximum design scenario in comparison to undertaking such without gravel bags due to the length of time the gravel bag beds would need to remain on the seabed and the larger total area involved. The cable installation vessel would be present for one or two tidal cycles at each location where it would need to ground, whereas the gravel bags would be in place for up to approximately six weeks and would have a greater surface area than the vessel alone.</p>

Ref	Natural England Comment	Applicant's Response
		<p>As detailed within the Assessment of Gravel Beds document (Deadline 1 Submission – 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 4 – Physical Processes and Benthic [REP1-030]), the sensitivity of all subtidal biotopes that have been predicted to characterise the proposed area for gravel bag placement have been assessed according to the detailed MarESA sensitivity assessments. This assessment has determined that all biotopes have a 'low' to 'medium' sensitivity to a disturbance of this nature. Therefore, given the relatively small spatial scales for the total habitat disturbance outlined above, this loss is not expected to undermine regional ecosystem functions or diminish biodiversity.</p> <p>The detailed design of the landfall construction works will take place post-consent with the appointed contractor, taking account of survey information also gathered post consent. The principal means of determining the method used will be technical viability, with consideration given to minimising environmental impact. The variables which will feed into the design are:</p> <ul style="list-style-type: none"> • HDD exit location: This will be located seaward of MLWS. Ideally this should be as long as possible but this will ultimately be limited by the ground conditions encountered and capability of the HDD equipment. • Use of duct extension: This would extend the exit point of the duct further out to sea, meaning the installation vessel wouldn't need to get as close to the shore for the cable pull in operation. However more works close to shore would be required to install it. • Grounding the cable installation vessel: Being able to ground the vessel will enable the vessel to get closer to the shore but will depend on the seabed being suitable. • Use of gravel bag beds: If the seabed isn't suitable for grounding the cable installation vessel, gravel bag beds could be designed and placed allowing the grounding to occur. However, this will need a lot of material and a suitable vessel spread to install and remove the gravel bags. • Weather restrictions around operations: Export cable installation is only allowed to occur outside of March to July inclusive, which excludes some of the best weather months to complete cable installation works. <p>The contractor will be asked to develop a suitable method, which will be submitted to the relevant authorities prior to the works commencing. This may incorporate other ideas and solutions for being able to complete the works in the most effective manner possible, however any methodology brought forward would be</p>

Ref	Natural England Comment	Applicant's Response
2.1.12	<p>4. We also continue to advise that an Outline Decommissioning Plan should be submitted into the examination, which demonstrates consideration of external cable/foundation protection methodologies which from an environmental perspective represent the greatest chance of successful removal to return the seabed to its original state. Without this information we cannot fully understand the potential scale and significance of impacts on designated sites (Climping Beach Site of Special Scientific Interest (SSSI), Kingmere Marine Conservation Zone (MCZ) and Offshore Overfall MCZ), Habitats of Principle Importance, Annex I habitats and potential black seabream nesting habitats</p>	<p>required to adhere to (i.e. not exceed) the limits imposed by the worst-case assessed as part of the consenting process.</p> <p>It is not considered appropriate for an Outline Decommissioning Plan to be provided pursuant to the consenting process under the Planning Act 2008, as the decommissioning process for offshore wind farms is controlled by the Energy Act 2004.</p> <p>Section 105 of the Energy Act 2004 requires that the Secretary of State may, by notice, require a decommissioning programme for a renewable energy installation, to include the details set out in that section. In reflection of this the Draft Development Consent Order [REP2-002] (updated at Deadline 3) provides, at Schedule 1 (the Authorised Project) Part 3 (Requirements), requirement 11, that no offshore works are to commence until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State pursuant to section 105(2) of the Energy Act 2004 has been submitted to the Secretary of State for approval. This approach is consistent with recently as made offshore wind farm DCOs, including The East Anglia ONE North Offshore Wind Farm Order 2022, The East Anglia TWO Offshore Wind Farm Order 2022 and The Awel y Môr Offshore Wind Farm Order 2023. It is also consistent with the terms of National Policy Statement EN-3 2011 (paragraphs 2.6.53 and 2.6.54).</p>
Subtidal benthic characterisation survey report appendices		
2.1.13	<p>5. We note that the subtidal benthic characterisation report has been submitted in response to the relevant representation comments of the MMO/Cefas therefore we defer to them on whether this is sufficient to address their concerns.</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p>
In Principle Sensitive Features Mitigation Plan		
2.1.14	<p>6. We note that there do not appear to be any tracked changes to 7.17 In Principle Sensitive Features Mitigation Plan, and the revision log suggested the changes are updates to Figures 2.1 and 5.1. As described in the Applicants Responses to Relevant Representations [REP1-017] the changes to Figure 5.1 involves increasing the resolution and the change to Figure 2.1 involves ensuring all MCZ's are shown. Therefore, aside from addressing our comment on Figure 2.1, our comments on this document remain the same as stated in our written/relevant representations. In future it would be helpful if both a clean and tracked change versions of named plans are provided so it is clear what has been changed.</p>	<p>The Applicant has provided an updated tracked and clean version of the In Principle Sensitive Features Mitigation Plan [APP-239] at Deadline 3. This incorporates the updates (previously added to the Errata) suggested by Natural England. The Applicant received an email from Natural England on the 16 April 2024 confirming that Figure 5.1 was updated in the Deadline 2 version of the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3) and that this comment has now been resolved.</p>
2.1.15	<p>2. Detailed Comments</p> <p>Table 1 Summary of Key Issues; Document Reviewed - [REP1-030] - 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 46 – Physical Processes and Benthic</p>	

Ref	Natural England Comment				Applicant's Response		
	Point number		Location within Submitted Document		Natural England Response	Applicant's Response	
			Section	Page	Para Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
Section 2 - Consideration of a commitment to use rock bags (in relation to cable protection)							
1	2.1.3 & 2.1.4	4	Bullet Points 1-3		<p>Natural England notes that cable protection types included in the DCO are listed in Section 2.1.3 as: rock protection, concrete mattresses, and rock bags.</p> <p>However, the DCO itself includes other bagged solutions filled with stone, rock or gravel, grout etc and protective shells/sheaths. We therefore seek clarity on whether this indicates a refinement of the proposed cable protection methods by the Applicant?</p>	<p>We advise that if the proposed cable protection methods have been refined, that this should be reflected in the DCO, Environmental Statement Assessment and the relevant plans. And would welcome consideration of cable protection options which reduce direct and indirect impact to protected habitats and species.</p>	<p>The Applicant can confirm that the cable protection types listed in paragraphs 2.1.3 and 2.1.4 do not indicate a refinement of the cable protection methods. Although rock filled bags are the most likely method of bagged solutions to be used, if other materials were used, the Applicant asserts that the environmental impacts would remain the same and within the scope of the environmental impacts assessed and reported in the Environmental Statement.</p>
2	2.1.4	5	Bullet Points 2-3		<p>Natural England welcomes the Applicant's new commitment to seek products for cable protection and scour prevention (i.e., rock bags or concrete mattresses) which do not contain plastics (C-288) and await the updated Outline Scour Protection and Cable Protection Plan to</p>	<p>We advise that an updated Outline Scour Protection and Cable Protection Plan is provided to demonstrate the inclusion of this commitment.</p> <p>Our advice remains that an Outline Decommissioning Plan should be submitted into the examination. We advise that the consideration is given within this to utilising the cable protection methodology which from an environmental perspective represent the</p>	<p>The Outline Scour Protection and Cable Protection Plan [APP-234] has been updated at Deadline 3 to include the new commitments. C-288 has been updated in the Commitments Register [REP1-015] (updated at Deadline 3) to clarify that it applies to all the offshore elements of the Proposed Development.</p> <p>The Applicant has responded to the request from Natural England to provide an Outline Decommissioning Plan in reference 2.1.12.</p>

Ref	Natural England Comment	Applicant's Response
		<p>ensure its inclusion within this plan. We note that in the commitments register it appears C- 288 will only apply to the offshore substations. We assume this is an error and advise this is updated.</p> <p>With regards to removal at decommissioning it remains our advice (as stated in our relevant/written representations) that it would be helpful if an Outline Decommissioning Plan was included at this stage, with the details agreed with stakeholders, including Natural England, based on best practice at the time of decommissioning.</p>
<p>Section 3 - Assessment of gravel bag beds</p>		
3	<p>General Comment</p>	<p>Natural England advises that our concerns raised in our relevant/written representations regarding the assessment in the Environmental Statement (ES), particularly around magnitude</p> <p>We advise that our relevant/written representation comments also apply to this assessment.</p> <p>As detailed in response 4, by definition, abrasion of the underlying chalk bed would only occur if and where gravel bags or any loose gravel are moved whilst in direct contact with the natural chalk seabed, affecting the surficial layer of the seabed. Some abrasion of the surface might also occur by the action of the machinery used to lay or recover the gravel bags and gravel. The upper seabed surface potentially affected by abrasion may include areas of exposed chalk but may also include areas of weathered (heavily modified or softened) chalk, loose chalk pieces, overlying loose (e.g. sandy) sediment accumulations. Local benthic flora and fauna may also influence the physical properties or be part of the surface character of the seabed in affected areas. Some abrasion might be</p>

Ref	Natural England Comment	Applicant's Response		
	<p>of impact and sensitivity of biotopes remain relevant to this note.</p>	<p>reasonably expected to temporarily change the appearance and texture of the seabed (e.g. change or removal of the weathered surface to some degree) immediately following the activity, but this is likely to recover naturally with time. It is considered to be unlikely that abrasion alone will cause measurable permanent or long-term changes to the gross seabed morphology or the underlying chalk. The assessment of sensitivity presented within the Assessment of gravel beds (Deadline 1 Submission – 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 4 – Physical Processes and Benthic [REP1-030]) therefore remains valid, with the disturbance not expected to undermine regional ecosystem functions or diminish biodiversity.</p> <p>Furthermore, the Applicant has committed to undertaking detailed pre-construction surveys as referenced in the Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3), the provision of which is secured in Condition 11(1)(j) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). Proposals for micrositing around priority habitats, which importantly will be based on the results of the pre-construction surveys, are presented within the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3) secured in Condition 11(1)(k) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3)). The location of gravel beds will be microsited to avoid sensitive features, where practicable. The final plan for cable routing and associated use of gravel bags will be presented within the Cable Specification and Installation Plan, which will be submitted to and approved in writing by the MMO, as secured in Condition 11(1)(n) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3)).</p>		
4	3.2.3 6	<p>Natural England is concerned that there is the potential for abrasion of the chalk platform just seawards of Mean Low Water Spring (MLWS) or in proximity to it, through the placement of gravel bag beds on the seabed. This abrasion could cause permanent loss of irreplaceable chalk habitat and downwearing of the chalk platform which in turn</p>	<p>We advise the Applicant should include potential vertical elevation change (due to the placement of gravel bag beds on the seabed) in this impact assessment.</p> <p>We advise any downwearing of chalk is also considered in relation to permanent loss of this Section 41 Habitat of Principal Importance of the Natural Environment and Rural Communities (NERC) Act 2006.</p>	<p>The potential impact of nearshore changes in seabed level on nearshore wave climate and coastal morphology as a result of cable installation activities (e.g. cable protection, cable trenching, horizontal directional drilling (HDD) exit pits and side-casting of spoil), is described and assessed in paragraph 6.9.50 onwards in Chapter 6: Coastal processes, Volume 2 of the Environmental Statement [APP-047]. It is expected that temporary gravel beds will be no more than 1.5m high. The temporary gravel beds fall within the envelope of this assessment.</p> <p>By definition, abrasion of the underlying chalk bed would only occur if and where gravel bags or any loose gravel are moved whilst in direct contact with the natural chalk seabed, affecting the surficial layer of the seabed. Some abrasion of the surface might also occur by the</p>

Ref	Natural England Comment			Applicant's Response
			<p>could affect wave patterns approaching Climping Beach and alter the beach morphology/coastalerosion.</p>	<p>action of the machinery used to lay or recover the gravel bags and gravel. The upper seabed surface potentially affected by abrasion may include areas of exposed chalk but may also include areas of weathered (heavily modified or softened) chalk, loose chalk pieces, overlying loose (e.g. sandy) sediment accumulations. Local benthic flora and fauna may also influence the physical properties or be part of the surface character of the seabed in affected areas. Some abrasion might be reasonably expected to temporarily change the appearance and texture of the seabed (e.g. change or removal of the weathered surface to some degree) immediately following the activity, but this is likely to recover naturally with time. It is considered to be unlikely that abrasion alone will cause measurable permanent or long-term changes to the gross seabed morphology or the underlying chalk. Therefore, the Applicant does not consider the abrasion impact to chalk from the gravel bed as permanent.</p>
5	3.2.3	6	<p>Horizontal Directional Drilling length: Natural England notes the mention of the option to 'install an up 1,000m duct extension, which could be used to extend the position of the duct exit point further from mean low water springs (MLWS)'. Our advice remains from our relevant/written representations that a full appraisal of all possible options in relation to the nearshore grounding issue, with a commitment to using the methodology that minimises the environmental impacts the most should be carried out. This should include the possibility of extending the Horizontal Directional Drill (HDD) further out. The total impacts of the HDD exit pit should be compared to the total impact of grounding out the vessel or the use of gravel bags. This is required so that the full</p>	<p>We advise a full appraisal of all possible options in relation to nearshore grounding, with a commitment to using the methodology that minimises the environmental impacts is provided.</p>
				<p>The Applicant refers Natural England to its response to reference 2.1.11 above. Designing the works will involve considering the location of the horizontal directional drilling (HDD) exit pit, the use of a duct extension and its length, the use of vessel grounding, and the use of gravel bag beds, which are all required for the export cable transition from marine to landfall rather than representing alternatives to each other. The suggested comparison between the area affected by the HDD pit against that of the vessel grounding area is thus not a relevant comparison in terms of assessing a worst case.</p> <p>The Applicant highlights that, as set out within the Environmental Statement (ES), the final construction design for landfall HDD will be determined post-consent and will be based on detailed geotechnical and geological data to develop the final HDD alignment that is in keeping with its commitments including minimising the distance of the route through subtidal chalk as per commitment C-269 (secured in Condition 11(1)(c)(v) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) in the Commitments Register [REP1-015] (updated at Deadline 3)).</p> <p>Taking construction risk and the maximum distance limitations of the technique into account, it is not possible to extend the HDD to the extent that all the inshore chalk area is avoided, and it is on this basis that the assessment has been undertaken and presented within Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 of the Environmental Statement [APP-050].</p>

Ref	Natural England Comment		Applicant's Response
		environmental impacts can be considered and assessed.	
6	3.2.5	7	
		<p>Use of Gravel Beds: Natural England understands that there would be 'up to three gravel bag beds in total for each of the export cable pull in operation and each would remain in the same position for up to approximately six weeks before being moved to their next location for a subsequent export cable pull in operation....Following installation, the gravel bags would be fully removed from the inshore area, so they would be regarded as temporary in nature'. We remain concerned that the repetitive force and abrasion of the boat over these bags and the relocation of the bags multiple times within the operation may lead to the bags degrading.</p> <p>This could therefore cause challenges ensuring that all the gravel material is removed.</p> <p>We also note that the commitment in the register (C-283) says 'Gravel bags laid on the seabed to protect the cable barge during construction of Rampion 2, will be removed prior to the completion of construction,</p>	<p>We advise that consideration of the durability of the bag material over the operation needs to be considered, as the conclusions rely on the gravel being fully removable.</p> <p>Additionally, we advise the release of plastics into the environment should also be considered. Natural England does not endorse the introduction of plastics into the marine environment. We advise that C-288 –which relates to minimising the release of plastics and using suitable alternatives where possible should also apply to the use of gravel bags.</p> <p>We advise that commitment C-283 is updated to reflect the Applicant's commitment to full removal. If there is any residual risk that full removal will not be possible then this needs to be considered in the assessment. We advise that consideration is given to measures to monitor the integrity of the bags for damage and to ensure that they remain removable. We advise that consideration is also given to the protocol to be enacted if unforeseeable damage does lead to material becoming loose. We advise this information is included in the Outline Cable Specification and Installation Plan.</p> <p>We advise that reference to the situation at Rampion 1 does not appear to be comparable.</p>
			<p>The Applicant refers Natural England to its response to reference 2.1.11 and reference 5 above. The use of gravel bags represents the worst-case scenario, which is presented within Section 3 - Assessment of gravel bag beds (Deadline 1 Submission – 8.25.13 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 – Further Information for Action Point 45 and 4 – Physical Processes and Benthic [REP1-030]).</p> <p>The use of gravel bags will be required in the situation where the cable lay vessel will need to ground to enable the installation work to proceed, but the pre-construction survey information has demonstrated a risk that the cable lay vessel could be damaged by grounding. If utilised, the gravel bag bed will be designed to minimise the risk of gravel bags becoming damaged. The design stage will include consideration of gravel bag material, with the aim of avoiding the use of plastics where practicable. Full details of this methodology will be presented in the Cable Specification and Installation Plan, which will be submitted to and approved in writing by the MMO, as secured in Condition 11(1)(n) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>Commitment C-283 will be updated to state that the Applicant will aim for full removal of the gravel bags. If damage was to occur to the bags and some of the gravel material was left on the seabed, this is deemed to be of Minor significance on account of the natural presence of gravels across the offshore Export Cable Corridor (as detailed within Appendix 9.3: Rampion 2 Offshore wind farm subtidal benthic characterisation survey report, Volume 4 of the Environmental Statement [APP-137]) and anticipated limited impact footprint. As part of the routine process for the deployment of the gravel bag bed, the bags would be subject to inspection prior to any lifting/removal operations.</p>

Ref	Natural England Comment	Applicant's Response
	<p>where practicable'. Therefore, there does not seem to be a clear commitment to full removal. Gravel material remaining would represent a change to the benthic habitat.</p> <p>Additionally, the abrasion of the boat on the gravel bags has the potential to release plastics into the environment.</p> <p>We advise that the comparison of using rock bags on export cables that had been laid prior to connection on Rampion 1 at the offshore substation is unlikely to have the same impacts as them being used to ground a boat, and given the offshore location these may well have been deployed in different benthic conditions.</p>	
7	<p>3.2.6 - 7-8 3.3.6</p> <p>Scale and magnitude of impacts: The magnitude of impact on known chalk habitat and other known subtidal habitats within the Offshore Export Cable Corridor during gravel bag placement is classified as 'minor'. However, the footprint of the proposed gravel bag beds is 142,800m², an area equivalent to 20 Wembley football pitches, which we disagree is small scale. We do not support this being contextualised as '0.06% of the total seabed area within the proposed order limits'</p>	<p>We advise that the Applicant should provide an estimate of seabed (chalk) downwearing due to abrasion through placement of the gravel bag beds. We advise that the magnitude of impact should be reassessed, recognising that the damage could be permanent.</p> <p>We advise that monitoring should be secured in the IPMP.</p> <p>We advise that gravel bag deployment is micro-sited to avoid the features stated. We advise that this should be included alongside the final plan for cable routing micro-siting. We advise this will need to be presented in the final Cable Specification and Installation Plan, which</p> <p>The Applicant refers Natural England to its response to reference 4 above in respect to the potential for abrasion of chalk or other seabed habitat. On this basis, and with the provisions for micro-siting secured as noted below, the Applicant is confident there will be no long-term loss of a Habitat of Principal Importance.</p> <p>The Applicant has committed to undertaking detailed pre-construction surveys as referenced in the Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3), the provision of which is secured in Condition 11(1)(j) of the deemed Marine Licences (dMLs) (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). Proposals for micro-siting around priority habitats, which importantly will be based on the results of the pre-construction surveys, are presented within the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3) secured in Condition 11(1)(k) and must also be shown in the design plan to be submitted under condition 11(1)(a) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) updated at</p>

Ref	Natural England Comment	Applicant's Response
	<p>and as 'very localised' compared to the overall extent of these features within the eastern English Channel, in relation to Habitats of Principal Importance, Annex I habitats and potential black seabream nesting locations. This is an oversimplistic assessment, given that habitats are present in different proportions within the boundary and are rare. Furthermore, it is not stated whether the seabed itself is likely to be abraded during placement of the proposed gravel bags and, if so, by how much. An estimate of any anticipated downwearing of the seabed (chalk) and/or compaction/deterioration of chalk structure should be provided. Any abraded chalk seabed cannot be replaced and would therefore be considered a permanent loss of habitat, and not temporary disturbance (see comment 4 above). We do not consider any loss of biotopes representing subtidal chalk (particularly where the loss could be permanent), Sabellaria spinulosa, stoney reef, peat and clay exposures, or black seabream nests as minor in magnitude. It should also be recognised that the bags would be in place for six weeks in each location and six months in</p>	<p>would need to be signed off in consultation with Natural England.</p> <p>Deadline 3. The location of gravel beds will be micrositied to avoid sensitive features, where practicable. The final plan for cable routing and associated use of gravel bags will be presented within the Cable Specification and Installation Plan, which will be submitted to and approved in writing by the Marine Management Organisation, as secured in Condition 11(1)(n) and again must also be shown in the design plan to be submitted under condition 11(1)(a) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>

Ref	Natural England Comment		Applicant's Response		
8	3.3.4-3.3.10	8-9	<p>total, during which sufficient damage could be done for recovery to take a significant period of time or damage to be permanent (as opposed to temporary).</p> <p>We advise monitoring should be secured through the In Principle Monitoring Plan (IPMP) to ensure that impacts are in line with what is predicted in the Environmental Statement.</p> <p>Additionally, we advise that there should be a commitment in place to microsite around Habitats of Principal Importance, Annex I Habitats and black seabream nests wherever possible when considering the locations where the bags are deployed.</p>	<p>We advise that it is considered that any damage to chalk is permanent and therefore recovery of this Habitat of Principal Importance is not possible.</p>	<p>The Applicant refers Natural England to its response to reference 7 above.</p>
9	General comment and table 3.1	10	<p>Permanent Habitat loss: Natural England notes that the only impacts that have been considered are abrasion / disturbance of</p>	<p>We advise that the impacts need to be considered further, and the sensitivity amended as appropriate, which may affect the overall assessment conclusion.</p>	<p>The Applicant refers Natural England to its response to reference 4 above. On this basis, the Applicant does not consider there to be a need to alter the sensitivity of the biotopes from that assessed.</p>

Ref	Natural England Comment		Applicant's Response		
10	3.5.1	11	<p>the surface of the substratum or seabed. We advise that where recovery is not possible (ie. for chalk) then permanent habitat loss and disturbance that goes below the surface level in the case of downwearing needs to be considered. Across biotopes we note consideration of these aspects would lead to a likely increase in overall sensitivity.</p>	<p>We advise that this is updated to reflect the worst-case scenario. We advise that there should be a commitment in place to microsite around Habitats of Principal Importance, Annex I Habitats and black seabream nests wherever possible when considering the locations where the bags are deployed.</p>	<p>The Applicant has committed to undertaking detailed pre-construction surveys as referenced in the Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3), the provision of which is secured in Condition 11(1)(j) of the deemed Marine Licences (dMLs) (Schedules 11 and 12 of Draft Development Consent Order [REP2-002] (updated at Deadline 3). Proposals for micrositing around priority habitats, which importantly will be based on the results of the pre-construction surveys, are presented within the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3) secured in Condition 11(1)(k) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The location of gravel beds will be micrositied to avoid sensitive features, where practicable. Micrositing for environmental requirements is also required to be shown on the design plan to be submitted under condition 11(1)(a) of the dMLs (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). Furthermore, these works will be undertaken outside the spawning period for black bream.</p>
11	General Comment		<p>The Applicant has not stated whether the grounding vessel will need to be anchored and if so, any anticipated seabed /biotope impacts.</p>	<p>We advise details are provided of any anchoring requirements and associated seabed impacts.</p>	<p>As detailed within Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 of the Environmental Statement [APP-050], should anchoring of vessels occur in areas adjacent to the Proposed Development works, no significant effects would be anticipated. The Applicant also confirms that no such activities would be undertaken within the Kingmere Marine Conservation Zone (MCZ) boundaries, or sensitive features, where practicable (this has been captured in the In Principle Sensitive Features Mitigation Plan [REP1-012] updated at Deadline 3, and further notes that anchoring vessels at sea is not a licensable activity.</p>

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Table 2 Summary of Key Issues: Document Reviewed - [REP1-025] - 8.25.6 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 6 – Further information for Action Point 7 – Horizontal Directional Drilling at Climping Beach

12	1.3.5, 1.3.14	5	<p>The Applicant's outline design of HDD options is based, in part, on estimates of the likely rate and pattern of future coastal evolution and retreat taken from the Environment Agency (2020a and 2020b) reports. Since these reports were produced in 2020, Climping Beach has experienced further erosion and coastal morphological change following a series of major storms/storm surges. This is likely to continue through the lifespan of the Project. Therefore, we query whether these latest storm events, coastal morphological change and future climate change related impacts have been considered in the Applicant's assessment of asset integrity and (direct and indirect) impacts to the beach profile, coastal retreat and sensitive Sites of Special Scientific Interest (SSSI) features.</p> <p>The undeveloped land behind the beach in the Climping area is part of the Weald to Wave nature recovery corridor, which is a land-owner lead initiative to restore nature. The undeveloped land at Climping backing the evolving beach is one the last areas in Sussex where</p>	<p>We advise that the Applicant needs to demonstrate that this rapidly changing coastal morphology and latest storm events have been fully considered in their asset integrity assessment, environmental impact assessment and proposed mitigation measures.</p> <p>We advise that it is important that the placement of Rampion 2 infrastructure robustly considers future coastal change, to avoid potential deburial and the need for further protection in the nearshore area (which would impact coastal processes and benthic habitats). We also advise that the infrastructure in this area should be sited in appropriate locations/and/or sufficient buried to avoid prevention of potential future coastal habitat restoration in this area.</p>	<p>Horizontal Directional Drill (HDD) at the landfall site has been proposed to minimise risk to the integrity of the embankment as noted in embedded environmental measure C-43 in the Commitments Register [REP1-015] (updated at Deadline 3) secured via Draft Development Consent Order [REP2-002] (updated at Deadline 3), Schedule 12, Part 2, Condition 2 (8) which states "<i>The cables comprising Work Nos. 5 are to emerge in HDD exit pits and be laid on or beneath the seabed or in ducts laid on or beneath the seabed</i>". The outcome of the ground investigation as outlined in commitment C-247 (Commitments Register [REP1-015]) will inform the exact siting and detailed design of the drilling works. Environmental measure C-17 in the Commitments Register [REP1-015] (updated at Deadline 3) is also included to ensure adherence to the permitting regime which will cover any temporary construction activities in close proximity to the Environment Agency flood defence. The permits will be obtained in accordance with The Environmental Permitting (England and Wales) Regulations 2016.</p> <p>Chapter 6: Coastal processes, Volume 2 of the Environmental Statement [APP-047] concludes that construction and operation and maintenance activities will not significantly impact coastal morphology and offshore sediment transport and therefore the Proposed Development will not increase the risk of coastal erosion. Following Issue Specific Hearing 1 (ISH1), the Applicant has provided further information in request to Action Point 7 to provide more detail on HDD at Climping Beach, see Deadline 1 Submission – 8.25.6 Applicant's Post Hearing Submission Issue Specific Hearing 1 Appendix 6 – Horizontal Directional Drilling at Climping Beach [REP1-025].</p> <p>On the basis of the assessment undertaken within Chapter 6: Coastal processes, Volume 2 of the Environmental Statement [APP-047] and commitment C-247 (Commitments Register [REP1-015] (updated at Deadline 3)) which is secured via Requirement 26 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3), the coastal vulnerability of the Proposed Development is considered to be low, for which further mitigation will be identified and implemented post-granting of DCO consent as necessary.</p> <p>Following construction completion, the land above the cables will be available for habitat creation. Although certain types of habitat creation would be prohibited (e.g. anything requiring digging above the cables) there is a plethora of habitats that could be created</p>
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Ref	Natural England Comment	Applicant's Response
	<p>there are opportunities to establish transitional wetland habitats such as saline lagoons, and wetland habitat behind a shingle ridge.</p> <p>Natural England advises that the continued natural evolution of the beach is key to the potential restoration of coastal habitats in this area. Therefore, it is important that the Rampion 2 infrastructure robustly considers future coastal change.</p>	<p>including coastal and floodplain grazing marsh, marshy grassland, hedgerows and scrub.</p> <p>The Applicant has provided responses to the Examining Authority Questions regarding climate resilience considerations at landfall, please see responses to the Examining Authority's Written Questions FR 1.1 and CC 1.2 in in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).</p>
13	<p>1.3.3, 1.3.7</p> <p>4,6</p> <p>In relation to the HDD proposed at the landfall (particularly in relation to Climping Beach SSSI, NERC Act/ Habitats of Principal Importance and Annex I habitats) this document does not address our concerns regarding not knowing the full viability and extent of HDD. We note the Applicant states that the 'target depth is least 5-10 m', but that at present the depth of the HDD is not confirmed as this will depend on further data to be gathered post consent. We note that ground investigation works have not been undertaken at the landfall and that this is not proposed to be undertaken until after the consenting stage. The absence of this information is a limitation to our confidence in HDD as a</p>	<p>We refer you back to our relevant/written representation advice that, to understand the likely effectiveness of the mitigation measures (including HDD), geotechnical data is provided at the consenting stage to inform a Cable Burial Risk Assessment (CBRA), and outline Cable Specification and Installation Plan (CSIP) that both clearly take into account lessons learnt from Rampion 1.</p> <p>In relation to Climping Beach SSSI as stated in our terrestrial ecology relevant/written representations, Natural England advises that Climping Beach SSSI should be avoided, in the first instance, before wholly relying on the embedded mitigation measure of trenchless techniques.</p> <p>We are also concerned should these cables require repair and replacement over the lifetime of the project as this has proven challenging in other coastal environments.</p> <p>Further ground investigation will be carried out at the landfall at the post-DCO Application stage as outlined in commitment C-247 (Commitments Register [REP1-015] updated at Deadline 3) and secured within Requirement 26 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The ground investigation will inform a 'coastal erosion and future beach profile estimation assessment' which will advise regarding the need for and design of any further mitigation and adaptive measures to help minimise the vulnerability of these assets from future coastal erosion and tidal flooding. It is a standard approach to install offshore export cables using HDD at landfall. The landfall optionality has been maintained to account for future coastal realignment and the selection of the route and landfall point for the export cable offshore.</p> <p>Concern about trenchless crossing (including HDD) feasibility is addressed in the reference J3 in the Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017]. The Applicant has a high degree of confidence that all trenchless crossings in the Crossing Schedule in Appendix A of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) which is secured through Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) are feasible, including those at ecologically sensitive sites.</p> <p>Ecological impacts at Climping Beach Site of Special Scientific Interest (SSSI) are avoided through the use of horizontal directional drill (HDD) secured via descriptions of Work No.6 and Work No. 7 in</p>

Ref	Natural England Comment	Applicant's Response
	<p>mitigation measure, and it prevents 'detailed <i>ground models and a 'Coastal Erosion and Future Beach Profile Estimation Assessment'</i>. We advise we are concerned that it is stated that these documents '<i>will identify the need for further mitigation or management measures submitted prior to the commencement of Works No 6 or 7</i>', as this implies further measures may be required that have not been considered in the ES at the consenting phase.</p>	<p>the Draft Development Consent Order [REP2-002] (updated at Deadline 3). This means that there will not be any surface construction works within the SSSI and only pedestrian access will be required to monitor the path of the drill head, see paragraphs 5.6.8 to 5.6.15 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), that is secured via Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The draft DCO also includes Requirement 23 (b) to restrict access to the Climping Beach SSSI. The onshore works begin at the closest potential landfall location around 170m north of the SSSI, thereby allowing adequate room to control for indirect effects (e.g. dust deposition, light spill from temporary lighting etc.). This has been considered within the assessment in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement (ES) [APP-063].</p> <p>Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement [APP-063], paragraph 22.9.43 to 22.9.46 includes the expected scale and approach should a frac out occur at Climping Beach SSSI. The risk is identified as being very low based on the location of the entry and exit points that ensure that the drill head will be at depth when underneath the Climping Beach SSSI (also see Deadline 1 Submission – 8.25.6 Applicant's Post Hearing Submission Issue Specific Hearing 1 Appendix 6 – Horizontal Directional Drilling at Climping Beach [REP1-025]). The design of the Proposed Development and the measures to minimise and mitigate effects results in no significant effects on Climping Beach SSSI being predicted in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement [APP-063].</p>

Table 4-3 Natural England's Response to the Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters - Agenda Item 6 - South Downs National Park - Seascape and Visual Effects Q6, 1-3

Ref	Natural England Comment	Applicant's Response
	<p>Question 6-1 In relation to the Special Qualities of the National Park and Special Character of the Sussex Heritage Coast, provide justification for why the suggested amendments to the eastern array in the form of exclusion of Wind Turbine Generators and a reduction in the combined lateral spread of Rampion 1 and Rampion 2 are necessary?</p>	
2.1.16	<p><u>Part 1 Summary of advice</u></p> <p>1. Natural England's advice is that it is necessary to exclude Wind Turbine Generators (WTGs) from the Rampion Zone 6 eastern array area and reduce the lateral spread of turbines from Rampion 1 and Rampion 2 as per the Design Principles in the Rampion 1 DCO/DML (section 1.3a RR-265), because these principles served to mitigate major adverse impacts of Rampion 1 on the statutory purposes of the South Downs National Park (SDNP) and Sussex Heritage Coast (SHC).</p>	<p>The Applicant cannot commit to excluding wind turbine generators (WTGs) from the Rampion Zone 6 eastern array area (i.e. developing only within the Extension Area west of Rampion 1). Parts of the Zone 6 area were previously considered acceptable as part of the Rampion 1 consented area. Additionally, the areas to the south of Rampion 1 provide opportunity for the Applicant to maximise the amount of renewable energy which can be generated. The need for new nationally significant electricity infrastructure projects is recognised in National Policy Statement (NPS) EN-1 (section 3.3) (Department of Energy and Climate Change (DECC), 2011a) to meet energy security and carbon reduction objectives.</p> <p>The Applicant has reduced the lateral spread of the proposed Rampion 2 WTGs, having regards to the Design Principles in the Rampion 1 Development Consent order (DCO)/DML (Commitment C-61) and as the Rampion 2 Design Principles set out in Section 15.7 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES) [APP-056]. These principles embedded within the reduced spatial extent of the proposed DCO Order Limits (array area) and Works Areas shown on the Pre-Exam Procedural Deadline Submission – 2.2.1 Offshore Works Plans [PEPD-004] have served to reduce impacts of Rampion 2 on the statutory purposes of the South Downs National Park and the Sussex Heritage Coast.</p>
2.1.17	<p>2. The current design means that from the highly sensitive protected landscape between Beachy Head to Birling Gap the Rampion 2 WTGs will appear to be nearly twice the height of the Rampion 1 WTGs. The current design also means that the lateral spread of turbines from the Rampion 2 scheme will be double to triple the horizontal extent of Rampion 1 from most viewpoints within the SDNP (section 3.5e(i) RR-265).</p>	<p>The Rampion 2 design principles developed in consultation with stakeholders and applied to the proposed Development Consent order Limits (Offshore Array Area) have reduced the spatial extent of the array area and the number of the wind turbine generators (WTGs) proposed, minimising the horizontal extent of the layout in views from the South Downs National Park (SDNP) (particularly the Heritage Coast) and increasing the distance of the Rampion 2 array area from the Heritage Coast and therefore the apparent scale of the WTGs. The Applicant refers to its Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037], which provides more commentary on how the design of Rampion 2 limits the lateral spread and apparent scale of WTGs in views from the SDNP and Sussex Heritage Coast.</p>

Ref	Natural England Comment	Applicant's Response
2.1.18	<p>3. Natural England considers a significant adverse effect on a defined special quality as a significant impact on the designation's statutory purpose. Natural England's assessment of the evidence is that:</p> <ul style="list-style-type: none"> the impacts to SDNP Special Quality 1 (diverse, inspirational landscapes and breath-taking views) from the Rampion 2 project are significant/major/moderate. This is due to the impacts on the stunning, panoramic views out to sea from several viewpoints. the impacts to SDNP Special Quality 3 (tranquil and unspoilt places) from the Rampion 2 project are also significant/major. This is because a large part of the seaward horizon in views out of the SDNP and SHC will be enclosed by WTGs, which will also be visible from the tops of the downs. The ES records the experience of tranquillity as greatest from the tops of the downs, where many of the viewpoints offer direct views to the open seascape, which could also be affected at nighttime due to the WTG lighting. 	<p>The Applicant considers a significant effect on a defined special quality of the South Downs National Park (SDNP) does not equate to compromising the designation's statutory purpose. The Applicant draws the Examining Authority's attention to several examples of existing permitted infrastructure, including East Anglia TWO offshore wind farm and Awel y Mor offshore wind farm, for which it was the conclusion of the Examining Authority and Secretary of State that harms resulting from these projects on the special qualities of a National Landscape would not compromise the purposes of the relevant National Landscape designations affected. These are a useful benchmark to informing the approach to concluding on the impact upon special qualities and whether the statutory purposes of the designation are compromised.</p> <p>It is the Applicant's position that while there is harm to Special Quality 1 "Diverse, inspirational landscapes and breathtaking views" (during construction and operation) and Special Quality 3 "Tranquil and unspoilt places" (during construction), the statutory purpose of the SDNP would not be compromised by the Proposed Development. Therefore, the Proposed Development accords with the requirements of the legal tests and the policy tests set out in the National Policy Statement (NPS) in relation to the SDNP.</p>
2.1.19	<p><u>Part 2 Detailed Comments</u></p> <p>4. The SDNP has seven special qualities (described in full in South Downs National Park, 2015). Natural England's seascapes advice is specifically related to effects on Special Quality 1: Diverse, inspirational landscapes and breathtaking views and Special Quality 3: Tranquil and unspoilt places.</p>	<p>Noted, the Applicant has no further comments on this paragraph of Natural England's Deadline 2 submission at this time.</p>
2.1.20	<p>5. Natural England recognises that iterative design changes have been made between the PEIR and ES stages and that 4 relevant design principles have been used to inform these, namely field of view, proximity, separation gap and separation foreground. We also recognise that these have reduced, to an extent, the adverse effects from the scheme on the proportion of the SDNP contained within the SHC. However, despite the design changes, a large number of significant and adverse effects remain, which we advise will affect the Special Qualities (1 and 3) of the National Park and the special character of the SHC. Although they have been reduced, in our opinion they have not been minimised to an acceptable level by the design changes. Furthermore, the design changes act mainly in the SHC area within the SDNP, and Natural England advises that significant effects remain along the eastern part of the SHC between Birling Gap and Beachy Head.</p>	<p>The Applicant welcomes recognition from Natural England that iterative design changes made between the Preliminary Environmental Impact Report (PEIR) and Environmental Statement (ES) have reduced the adverse effects from the Project on the proportion of the South Downs National Park (SDNP) contained within the Sussex Heritage Coast (SHC). The Applicant notes that this is in line with NPS EN-1 (Department of Energy and Climate Change (DECC), 2011a) policy (5.9.21) that '<i>reducing the scale of a project can help to mitigate the</i></p>

Ref	Natural England Comment	Applicant's Response
2.1.21	<p>1. Special Quality 1: Diverse, inspirational landscapes and breathtaking views.</p> <p>6. The detail under this Special Quality includes the following: <i>“There are stunning, panoramic views to the sea and across the Weald as you travel the hundred mile length of the South Downs Way from Winchester to Eastbourne, culminating in the impressive chalk cliffs at Seven Sisters. From near and far, the South Downs is an area of inspirational beauty that can lift the soul.”</i></p>	<p><i>visual and landscape effects of a proposed project’</i> and the latest NPS EN-1 (Department for Energy Security and Net Zero, 2023a) policy which aims to <i>“minimise adverse effects on designated landscapes”</i>.</p> <p>The Applicant recognises that despite the reduction in effect, some significant operational effects remain, including those affecting Special Quality 1 of the SDNP. However, the Applicant considers that through the design changes made, it has had regard to the statutory purposes of the SDNP and although there are significant impacts (as determined in EIA terms) these do not translate into undermining the statutory purpose of the SDNP. The Applicant has aimed to avoid, as far as possible, compromising the purposes of designation and has had regard to sensitive design taking into account various siting, operational, and other relevant constraints.</p> <p>The Applicant agrees that design changes act particularly in the SHC area of the SDNP but would note that the design changes also reduce effects from other areas of the SDNP, including the open tops of the downs extending west through the SDNP from which there are also panoramic views.</p> <p>It is the conclusion of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES) [APP-056] that significant effects occur from the closest section of the SHC between Seaford Head, Cuckmere Haven and Seven Sisters (24km – 29km), but are avoided along the eastern part of the SHC between Birling Gap and Beachy Head, given the distance of the Rampion 2 array area (29km - 32km), the narrow additional field of view occupied by Rampion 2 WTGs from this direction (6.5 – 7.3°), its consistency of image and the extent of the panoramic views to the sea that are retained, which will remain ‘breathtaking’. There will remain a panoramic seaward outlook that is unaffected across the majority of the field of view and clear separation with the highly valued white cliffs viewed along the coast.</p>
2.1.22	<p>7. The Applicant’s assessment indicates that the array will result in Significant adverse effects on Special Quality 1 due to the impacts on the ‘panoramic views to sea’ experienced from the closest parts of the SHC, from a large number of landscape and visual receptors.</p>	<p>The Applicant recognises that despite the reduction in effect, some significant effects remain, including those affecting Special Quality 1 due to the impacts on the ‘panoramic views to sea’ experienced from the South Downs Way, including from the closest parts of the Sussex Heritage Coast.</p>

Ref	Natural England Comment	Applicant's Response
2.1.23	8. In addition Natural England's advice is that despite the design/mitigation measures proposed, there would be further Significant effects along the eastern part of the SHC between Birling Gap and Beachy Head.	The Applicant accepts that there would be some perceived diminishment (harmful effects) of one of the seven special qualities and the natural beauty of the South Downs National Park (SDNP) associated with the 'panoramic views to the sea' experienced from the South Downs Way and the chalk cliffs at Seven Sisters (part of special quality 1), however, panoramic views to the sea would still be retained, they would remain 'breathtaking', and other 'view types' would remain unaffected (such as views from the scarp looking north), with substantial areas of the SDNP have no visibility of the offshore elements of Rampion 2 and would not be affected significantly (as shown in the zone of theoretical visibility (ZTV) in Figure 15.20 of Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 2 of 8), Volume 3 of the Environmental Statement [APP-089]). There are also 7 special qualities and it is the combination of these that define its sense of place - all but one Special Quality (SQ1) of the 7 special qualities (SQ2 – SQ7) would either be unaffected or subject to not significant effects as a result of the offshore elements of Rampion 2.
2.1.24	<p data-bbox="290 1171 997 1203">2. Special Quality 3: Tranquil and unspoilt places</p> <p data-bbox="290 1245 1792 1377">9. The detail under this Special Quality includes the following: <i>“Although its most popular locations are heavily visited, many people greatly value the sense of tranquillity and unspoilt places which give them a feeling of peace and space. In some areas the landscape seems to possess a timeless quality, largely lacking intrusive development and retaining areas of dark night skies.”</i></p>	As noted above, it is the conclusion of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] that significant effects occur from the closest section of the Sussex Heritage Coast (SHC) between Seaford Head, Cuckmere Haven and Seven Sisters, but that significant effects are avoided along the eastern part of the SHC between Birling Gap and Beachy Head. Noted, the Applicant has no further comments on this description of Special Quality 3 at this time.
2.1.25	10. The Environmental Statement (ES) judges that Rampion 2 will introduce some changes to the tranquillity experienced in sea views, as a result of additional built/modern elements which interrupt or limit the aspect out to sea. These include effects on the coastal part of the SDNP within the SHC which are assessed by the Applicant as to be 'Not Significant' in relation to this special quality. Harm is only identified for this Special Quality in relation to construction effects. Natural England does not agree with this conclusion.	The Applicant refers to the submission at Deadline 1 of the post hearing submission Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024] , which provides further assessment of the Offshore elements of the Proposed Development on Special Quality 3 'Tranquil and unspoilt places'.
2.1.26	11. Natural England accepts that the Rampion 1 array does have an influence on opportunities to experience relative tranquillity from the coastal portion of the SDNP. However, the scale of that influence was significantly lowered by the effect of the Design Principals and Turbine Exclusion Zone contained within the Rampion 1 DML. As a result, opportunities to experience a sense of relative tranquillity (away from the main visitor hubs, for instance on The South Downs Way NT between Birling Gap and Cuckmere Haven) still exist. The turbines of Rampion 2 would negate this possibility as they would be significantly taller and closer to the shore than the existing array.	The Applicant considers that it has had regard to the design principles in the Rampion 1 design plan, as per Commitment C-61 (Table 15-26, Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES) [APP-056]) in the design and spatial extent of the proposed DCO Limits for Rampion 2, with wind turbine generators (WTGs) located further to the south-west, avoiding the Rampion 1 Structures Exclusion Zone (through the

Ref	Natural England Comment	Applicant's Response
		<p>reduction in spatial extent of the Zone 6 area of the proposed DCO Order Limits).</p> <p>Areas of relative tranquillity within the South Downs National Park (SDNP) are mapped in Appendix 1 of the SDNP Tranquillity Study (SDNPA, 2017). It is noted that the tranquillity score for the coastal parts of the Sussex Heritage Coast is not generally within the range of the highest tranquillity scores and is generally in the medium to medium-high range. There are positive tranquillity factors relating to the natural landscape, wide open spaces, extensive views to the sea and perceived wildness/remoteness, however there is also an absence of other factors that people relate to tranquillity - there are few trees/nature woodland in the chalk downland landscape or streams, river and lakes (Appendix 2, SDNPA, 2017) and at times there are many people and cars present at key sites (Birling Gap, Beachy Head, Cuckmere Haven) and walking routes (South Downs Way).</p> <p>The offshore wind turbine generators (WTGs) of Rampion 2 will introduce some changes to the tranquillity experienced in sea views, as an array of additional built/modern elements, which interrupt and define a further presence in the aspect out to sea through the apparent height, spread and movement of the WTGs rotor blades. The visual movement of the rotor blades incorporates a kinetic element, however it is an already dynamic seascape, which is influenced by rotor movement of the existing Rampion 1 WTGs, and the relatively slow visual movement of the WTG rotors and WTG scale at long distance limits the potential changes in perceived tranquillity. The Applicant considers that the additional presence of further WTGs with slow and consistent visual movement, at such distance outside the Heritage Coast, would not introduce a material sense of unrest, nor disturb the calmness and quietude experienced.</p> <p>On balance, it is considered that the effects on relative tranquillity of the coastal parts of the Sussex Heritage Coast are therefore moderate and not significant. The changes that would occur do not affect the tranquillity perceived to the degree that the qualities are compromised and are considered not significant. A sense of tranquillity will remain, as the array area would not over-ride the existing naturalistic elements in the landscape, nor its open space and extensive sea views will remain beyond the relatively narrow field of view affected by the Rampion 2 WTGs. The Applicant does not agree that the Rampion 2 WTGs would negate the possibility to experience a sense of relative tranquillity (away from the main visitor hubs) for instance on the South Downs Way. The 'feeling of peace and space' referred to in this special quality will also be retained and it is considered that people will continue to experience tranquillity as part of their experience of the Sussex Heritage Coast.</p>

Ref	Natural England Comment	Applicant's Response
2.1.27	12. The Applicant also makes reference to the frequency that the Rampion 2 turbines would be visible. At a minimum a separation distance of the 19.5km (VP28 Cuckmere Haven Beach) the turbines of Rampion 2 are likely to be visible for 299 days a year; therefore not 'infrequent' as stated by the Applicant.	The Applicant notes that the distance to VP28 Cuckmere Haven Beach is 26.2km. The closest coastal part of the Sussex Heritage Coast (SHC) is 23.9km at Seaford Head. Appendix 15.4: Viewpoint assessment, Volume 4 of the Environmental Statement [APP-160] notes that good, very good or excellent visibility will be required for the offshore elements of Rampion 2 to be visible. Met Office visibility data (Met Office, 2009-2019, Table 15-13, Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]) indicates 40.7% visibility frequency at 26.2km (Cuckmere Haven), reducing to 33.2% at 31.9km (Beachy Head), indicating that for approximately 61-67% of the time, the Rampion wind turbine generators (WTGs) may not be visible from this stretch of the SHC.
2.1.28	13. The Applicant's justifications for the significance of effect rely on diminishing of tranquillity as a result of the distance of the array, the effect on the existing Rampion 1 and the influence of development on the coastal plain. We do not agree with these conclusions, as the sense of tranquillity and dark night skies are perceived as being beyond the busier coastal plain. It is also the case that from many of the viewpoints on the tops of the downs the development on the coastal plain is not visible, with views directly to the open seascape. They are not experienced as separated from the seascape by the urbanised areas of the south coast plain.	<p>The Applicant refers to the submission at Deadline 1 of the post hearing submission Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024], which provides further assessment of the offshore elements of the Proposed Development on Special Quality 3 'Tranquil and unspoilt places' at night.</p> <p>With regards to the specific points made, the Applicant considers that the influence on the experience of tranquillity at night is diminished by the distance of the lighting of the Rampion 2 array area because the intensity of wind turbine generator (WTG) lighting is reduced at long distance (compared to when viewed at closer range).</p> <p>The Applicant notes that the sense of tranquillity and dark night skies are perceived as occurring as a result of the dark landscape below and the dark night skies above the South Downs National Park (SDNP), not from the sea, which occurs mainly 'beyond the busier coastal plain' (see Dark Skies Technical Advice Note (SDNPA, 2018), shown in Graphic 2-2 of Appendix 15.5: Assessment of aviation and navigation night-time lighting, Volume 4 of the Environmental Statement [APP-161]).</p> <p>The dark landscape of the SDNP would not be influenced by the lighting of the Rampion 2 offshore WTGs as they are outside its area (generally beyond the skyglow of the settled coastal plain). The lighting of Rampion 2 will also be low to the horizon and will not extend high into the sky, which reduces its influence on the views to the dark skies above the SDNP and the stars in the night-sky, which will continue to be visible and unimpeded in the skies above the viewer. The lighting of Rampion 2 will not result in obtrusive light that impedes opportunities to experience tranquillity, nor result in brightening of the night sky (skyglow) and would therefore not be of detriment to the overall experience of tranquillity gained from the dark landscape and night skies in these areas.</p>

Ref	Natural England Comment	Applicant's Response								
2.1.29	<p>14. The Applicant has indicated that night-time lighting of Rampion 2 will 'result in relatively low change to the tranquillity experienced within the SDNP coastline' and has not offered a conclusion on the significance of the change to tranquillity at night-time 'around the tops of the downs' where '<i>tranquillity is greatest</i>'. The effects of lighting on representative night-time viewpoints from '<i>tops of the downs</i>' were assessed as Not Significant due to the lighting being perceived as an '<i>extension of a familiar feature</i>' i.e. Rampion 1. Natural England does not agree with this assessment, as the lateral spread of the Rampion 2 lighting will be perceived as a tripling of the extent of lighting that is already visible from Rampion 1.</p>	<p>Although there are some viewpoints on the tops of the downs where the development on the coastal plain is not visible, the Applicant notes that skyglow is still apparent in the area between the dark landscape and dark skies above, and in the main, views at night will continue to be predominately influenced by skyglow over the intervening urban environment on the coastal plain, rather than the additional influence of the Rampion 2 aviation and marine navigational lighting. The overall experience of tranquillity gained within the SDNP at night, resulting from the experience of the dark landscape below and dark skies above, will not in the Applicant's assessment be significantly affected and areas of dark night skies within the SDNP as referred to in Special Quality 3 will be retained.</p> <p>The Applicant also notes that it has made a commitment (C-266) that during operation, and where visibility conditions permit, that the intensity of aviation warning lights will be reduced to no less than 200cd, subject to the availability of a commercial system and that lights will be operated at the lowest permissible lighting intensity level as secured in Condition 8(5) of the dML, Schedule 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The Applicant believes that this reduction in lighting intensity, where visibility conditions permit, would avoid significant effects on views at night from the SDNP.</p> <p>The Applicant refers to the submission at Deadline 1 of the post hearing submission Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024], which provides a conclusion on significance of the effect to tranquillity at night-time 'around the tops of the downs' (Special Quality 3). The magnitude of change at night to the 'tranquil and unspoilt places' of the inland 'core' areas formed by the tops of the downs of the South Downs National Park (SDNP) resulting from the lighting of the offshore elements of Rampion 2 is assessed as medium-low resulting in Not Significant (Moderate), direct, long-term and reversible effects.</p>								
2.1.30	<p>15. Our advice on the two Special Qualities is as follows.</p> <p>Table 1 - Assessment on Special Qualities 1 and 3</p> <table border="1" data-bbox="290 1619 2807 1820"> <thead> <tr> <th data-bbox="305 1633 528 1665">Special Quality</th> <th data-bbox="632 1633 1018 1707">Applicant's assessment of significance</th> <th data-bbox="1160 1633 1605 1665">Natural England's Assessment</th> <th data-bbox="1834 1633 2160 1665">Applicant's Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="305 1728 552 1759">Special Quality 1</td> <td data-bbox="632 1728 878 1759">Significant (major)</td> <td data-bbox="1160 1728 1249 1759">Agree</td> <td data-bbox="1834 1728 2792 1801">The Applicant notes agreement on the assessment of significant effects on Special Quality 1 (<i>'panoramic views to the sea'</i>).</td> </tr> </tbody> </table>	Special Quality	Applicant's assessment of significance	Natural England's Assessment	Applicant's Response	Special Quality 1	Significant (major)	Agree	The Applicant notes agreement on the assessment of significant effects on Special Quality 1 (<i>'panoramic views to the sea'</i>).	
Special Quality	Applicant's assessment of significance	Natural England's Assessment	Applicant's Response							
Special Quality 1	Significant (major)	Agree	The Applicant notes agreement on the assessment of significant effects on Special Quality 1 (<i>'panoramic views to the sea'</i>).							

Ref	Natural England Comment		Applicant's Response
Special Quality 3	<p>Inland Core Areas - Not Significant (moderate)</p> <p>Coastal parts and SHC – not significant (moderate).</p>	<p>For the Inland Core Areas we agree with the Applicant's judgement of not significant (moderate).</p> <p>For the Coastal Parts and SHC Area we disagree with the Applicant's judgement of not significant (moderate). We advise that the impact will be significant (major).</p>	<p>The Applicant notes agreement with the assessment of not significant (moderate) effects on Special Quality 3 (tranquil and unspoilt) from the inland core areas of the South Downs National Park (SDNP).</p> <p>The Applicant notes disagreement with Natural England with the assessment of effects on Special Quality 3 (tranquil and unspoilt) from the coastal parts of the SDNP. The Applicant would provide the following further comments on this point, in line with those made in response to the Examining Authority's Written Question SLV 1.7, Table 2-1, Applicant's Response to Examining Authority's Written Questions (ExQ1) (Document Reference: 8.54).</p> <p>Areas of relative tranquillity within the SDNP are mapped in Appendix 1 of the SDNP Tranquillity Study (South Downs National Park Authority (SDNPA), 2017). It is noted that the tranquillity score for the coastal parts of the Sussex Heritage Coast is not generally within the range of the highest tranquillity scores and is generally in the medium to medium-high range. There are positive tranquillity factors relating to the natural landscape, wide open spaces, extensive views to the sea and perceived wildness/remoteness, however there is also an absence of other factors that people relate to tranquillity - there are few trees/nature woodland in the chalk downland landscape or streams, river and lakes (Appendix 2, SDNPA, 2017) and at times there are many people and cars present at key sites (Birling Gap, Beachy Head, Cuckmere Haven) and walking routes (South Downs Way).</p> <p>The offshore wind turbine generators (WTGs) of Rampion 2 will introduce some changes to the tranquillity experienced in sea views, as an array of additional built/modern elements, which interrupt and define a further presence in the aspect out to sea through the apparent height, spread and movement of the WTGs rotor blades. The visual movement of the rotor blades incorporates a kinetic element; however it is an already dynamic seascape, which is influenced by rotor movement of the existing Rampion 1 WTGs, and the relatively slow visual movement of the WTG rotors and WTG scale at long distance limits the potential changes in perceived tranquillity. The Applicant considers that the additional presence of further WTGs with slow and consistent visual movement, at such distance outside the Heritage Coast, would not introduce a material sense of unrest, nor disturb the calmness and quietude experienced.</p> <p>On balance, it is considered that the effects on relative tranquillity of the coastal parts of the Sussex Heritage Coast are therefore moderate and not significant. The changes that would occur do not affect the tranquillity perceived to the degree that the qualities are compromised and are considered not significant. A sense of tranquillity will remain, as the array area would not over-ride the existing naturalistic elements in</p>

Ref	Natural England Comment	Applicant's Response
2.1.31	<p>16. Overall, Natural England advises that given the large number of residual Significant adverse effects in relation to Special Quality 1 and 3, Rampion 2 will compromise the statutory purpose of the SDNP, and the special character of the SHC. Therefore, Natural England advises further amendments to the proposal design are needed.</p>	<p>the landscape, nor its open space and extensive sea views will remain beyond the relatively narrow field of view affected by the Rampion 2 WTGs. The 'feeling of peace and space' referred to in this special quality will also be retained and it is considered that people will continue to experience tranquillity as part of their experience of the Sussex Heritage Coast.</p>
		<p>The Applicant's response to Action Point 27 in its Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024] sets out where and how the Development Consent Order (DCO) Application includes information in relation to the effects of the Proposed Development on the special qualities of the South Downs National Park (SDNP). It does so in the context of the relevant policy tests as set out in National Policy Statement (NPS) EN-1 (Department of Energy and Climate Change, 2011a) and the revised NPS EN-1 (Department for Energy Security and Net Zero, 2023a).</p> <p>It is the Applicant's position that while there is harm to Special Quality SQ1 "Diverse, inspirational landscapes and breathtaking views" (during construction and operation) and SQ3 "Tranquil and unspoilt places" (during construction), the statutory purpose of the SDNP would not be compromised and that the Proposed Development accords with the requirements of the legal tests and the policy tests set out in the NPS in relation to the SDNP.</p> <p>Furthermore, iterative design changes made between the Preliminary Environmental Impact Report (PEIR) and Environmental Statement (ES) have reduced the adverse effects from the Proposed Development on the SDNP.</p> <p>The Applicant considers that through the design changes made it has had regard to the statutory purposes of the SDNP and although there are significant impacts (as determined in EIA terms) these do not translate into undermining the statutory purpose of the SDNP. The Applicant has aimed to avoid, as far as possible, compromising the purposes of designation and has had regard to sensitive design taking into account various siting, operational, and other relevant constraints, with recognition that iterative design changes made between the PEIR and ES have reduced the adverse effects from the Project on the SDNP.</p> <p>The Applicant incorporated aspects of Natural England's recommendations in the design principles that have shaped the spatial extent of the proposed DCO Order Limits (Offshore Array Area),</p>

Ref	Natural England Comment	Applicant's Response
		<p>however there are constraints that prevent the Applicant from making further amendments to the proposed design.</p> <p>In its Mid-examination Progress Tracker submitted at Deadline 2 Submission – 8.22 Category 8: Examination Documents – Applicant's Mid Examination Progress Tracker [REP2-013], together with its responses to West Sussex County Council Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020], South Downs National Park Authority Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions [REP2-024] and Natural England Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Responses to Prescribed Consultees' Written Representations [REP2-026], the Applicant responds on reducing the visual effects through further design principles and notes that these opportunities are limited by the technical, economic and functional requirements of the Proposed Development to produce renewable energy, as well as other environmental factors. The Applicant has explained further what is meant by these technical, economic and functional requirements in response to the Examining Authority's Written Question SLV 1.6, Table 2-1 in the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document Reference: 8.54), which prevent further amendments to the project design to reduce seascape/visual effects. These limitations are explored further in the Applicant's responses below.</p>
2.1.32	<p>3. Further Justification for Natural England's advice in relation to the Eastern Array in the form of exclusion of Wind Turbine Generators and a reduction in the combined lateral spread of Rampion 1 and Rampion 2</p>	
2.1.33	<p><u>Exclusion of WTG in the Eastern Array</u></p> <p>17. The WTGs of the Rampion 2 OWF maximum design scenario are too big and located too close to the coastline of the SHC portion of the SDNP. Their sheer size and the lateral spread, combined with the marked contrast in height with the existing Rampion 1 WTG will be visually incoherent, clutter-up the seascape setting of the SDNP and dramatically degrade views out to sea, particularly from Beachy Head to Birling Gap.</p>	<p>The Applicant refers to its Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037], which provides more commentary on how the design of Rampion 2 has reduced the lateral spread and apparent scale of wind turbine generators (WTGs) in views from the South Downs National Park (SDNP) and Sussex Heritage Coast (SHC).</p> <p>With regards to the Rampion 2 WTGs being 'too big', the Applicant is unable to commit to WTGs of less than the parameters for the larger WTG type (325m blade tip height) set out in Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement [APP-045]. In accordance with the Rochdale envelope approach the SLVIA has been based on the maximum design scenario, as described in Section 15.7 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]. This allows flexibility to make design decisions in the future that cannot be finalised at the time of submission of the Application for development pre-</p>

Ref	Natural England Comment	Applicant's Response
		<p>consent. Such design decisions will include the precise models and dimensions of WTG that will be available at the time of procurement for the Proposed Development (noting the commitment to a single size of WTG across the array area), the final offshore WTG layout design to optimise wind energy capture and detailed engineering factors. The approach allows the Proposed Development to harness innovation in technology and utilise what is commercially available at the point of delivery. As recognised in National Policy Statement (NPS) NPS EN-1 (Department of Energy and Climate Change (DECC), 2011b) (para 5.9.21) <i>“reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity output”</i> and NPS EN-1 (Department for Energy Security and Net Zero (DSNZ), 2023b) (para 2.8.253) <i>“Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible”</i>.</p> <p>With regards the Rampion 2 proposed DCO Order Limits (array area) being ‘too close’ to SHC, the Applicant would note that the closest coastal area of the SHC is located 23.9km from the proposed DCO Order Limits (Offshore Array Area) and the most sensitive areas around Beachy Head and Birling Gap are located over 29km. The Applicant considers that these distances should not be regarded as ‘close’. The Rampion 1 recommendation report (PINS, 2014) setting out the conclusions of the ExA panel to the Secretary of State (SoS) noted that Rampion 1 (at a similar distance) would be perceived as being remote from the SHC and SDNP. The spatial extent of the Rampion 2 array area has been reduced considerably through the removal of part of the eastern Zone 6 area and as a result, WTGs within the proposed DCO Order Limits are located at notably greater distance from the SHC of the SDNP compared to that proposed in the Preliminary Environmental Impact Report (PEIR) Assessment Boundary. The increased distance offshore between the PEIR Assessment Boundary and the proposed DCO Order Limits is in the order of 7km from viewpoints in the Heritage Coast (Table 15-27 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]).</p> <p>With regards to the lateral spread, the Applicant would note that particular regard was given to limiting the Horizontal Field of View (HFoV) occupied by Rampion 2 in ‘panoramic views to the sea’ experienced from the SHC. The Applicant considers that the additional HFoV added by Rampion 2 in views from the SHC is not extensive and that it occupies a relatively narrow portion of the overall view - an additional 6.5° from Beachy Head and 7.3° from Birling Gap, such that</p>

Ref	Natural England Comment	Applicant's Response
		<p>panoramic views to the sea will be retained and these will remain 'breathtaking'.</p> <p>It is recognised that 'layering effects' occur where the larger Rampion 2 WTGs are viewed behind the smaller Rampion 1 WTGs, however these areas to the south of Rampion 1 are considered to avoid the adverse scale juxtaposition of larger Rampion 2 WTGs in front of Rampion 1 (which has been avoided through the 'separation foreground' principle i.e. avoiding WTGs to the east of Rampion 1.</p> <p>Embedded design measures have focused particularly on reducing effects on views from the Heritage Coast, including from Beachy Head Figure 15.26 and Birling Gap Figure 15.27 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 4 of 8), Volume 3 of the Environmental Statement [APP-091], focusing on the field of view (lateral spread), proximity and separation with Rampion 1. These changes made to the DCO order limits have reduced the adverse effects of Rampion 2 on the Heritage Coast of the SDNP (which is recognised by Natural England and the SDNPA). Effects on some Heritage Coast views are assessed as becoming not significant from the more distant areas of the Heritage Coast including from Birling Gap and Beachy Head, with effects of 'major' significance avoided in these areas.</p>
2.1.34	<p><u>Why this is necessary</u></p> <p>18. The Zone 6 area is the most sensitive with the potential for Significant adverse seascape and visual effects on the most sensitive views within the SHC/ SDNP. Natural England continues to advise that WTG should be excluded from the Rampion Zone 6 eastern array area. This will also adhere to the purpose of the Design Principles secured in the Rampion 1 DCO/DML as embedded landscape mitigation.</p>	<p>The Applicant cannot commit to developing only within the Extension Area west of Rampion 1. Parts of the Zone 6 area were previously considered acceptable as part of the Rampion 1 consented area and the areas to the south of Rampion 1 provide opportunity for the Applicant to maximise the amount of renewable energy that can be generated.</p> <p>The Applicant considers that it has had due regard to the design principles held in the Rampion 1 Design Plan (Commitment C-61, Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES), Table 15-26 [APP-056]). The topic specific SLVIA design principles that have shaped the design of Rampion 2 (Section 15.7 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]) have incorporated many elements of the Rampion 1 design principles including: limiting the Horizontal Field of View of wind turbine generators (WTGs) from the South Downs National Park (SDNP) and Sussex Heritage Coast (SHC); increasing the distance of WTGs from the Sussex Heritage Coast of the SDNP; WTGs being located further to the south-west than was proposed in the Preliminary Environmental Impact Report assessment boundary; and providing clear sight lines through the wind farm separation zones.</p>
2.1.35	<p>19. The placing of the much larger turbines of Rampion 2 in Zone 6 disregards the Rampion 1 design principle (iii), which is to locate the largest turbines, in any hybrid scheme, to the southwestern portion of the Order. In this development, the placing of turbines of a greater height directly adjacent to Rampion 1 effectively results in a</p>	<p>Rampion 2 has applied design mitigation in this regard through the spatial extent of the proposed DCO Order Limits, which avoid the more sensitive areas of seascape to the east of the Rampion 1, including</p>

Ref	Natural England Comment	Applicant's Response
	<p>hybrid scheme in key views from the SDNP and SHC, with these larger turbines located in the more sensitive eastern part of the development. The apparent differences in size between Rampion 1 and Rampion 2 WTGs will exacerbate the adverse seascape and visual issues for the SDNP and SHC. The Rampion 2 turbines will appear nearly twice the height of Rampion 1 WTGs and this contrast will be clearly visible from key sensitive locations at Beachy Head and Birling Gap.</p>	<p>avoidance of the Rampion 1 structures exclusion zone (SEZ). The Rampion 2 proposed DCO Order Limits (Offshore Array Area) do not extend to the east of Rampion 1 and are located entirely to the south and west of Rampion 1, avoiding the consented areas of Rampion 1 that were in closer proximity to the Suffolk Heritage Coast of the South Downs National Park (SDNP). Locating wind turbine generators (WTGs) within the area to the south of Rampion 1 is considered optimal from a landscape and visual perspective as the Rampion 2 WTGs will be located behind Rampion 1 (and further offshore) when viewed from the north and to the south of Rampion 1 when viewed from the Heritage Coast of the SDNP.</p> <p>The Applicant considers that it has had regard to the design principles in the Rampion 1 design plan, as per commitment C-61 (Table 15-26, Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]) in the design and spatial extent of the proposed DCO Order Limits for Rampion 2, with WTGs located further to the south-west (through the reduction in spatial extent of the Zone 6 area of the proposed DCO Order Limits).</p> <p>Although the apparent scale of the Rampion 2 WTGs will be larger than Rampion 1, the applicant considers that there is a relative balance in apparent scale and spread in perspective in views from Beachy Head and Birling Gap, with stark scale comparisons avoided through the separation between the distinct Rampion 1 and Rampion 2 arrays in these views, as per the Rampion 2 design principles.</p>
2.1.36	<p>20. The lateral spread of the Rampion 1 scheme is also increased from these most sensitive viewpoints. For this reason, Natural England is of the opinion that the turbines should be removed from the entirety of the Zone 6 area.</p>	<p>The Applicant would note that particular regard was given to limiting the Horizontal Field of View (HFoV) occupied by Rampion 2 in 'panoramic views to the sea' experienced from the Sussex Heritage Coast (SHC). The Applicant considers that the additional HFoV added by Rampion 2 in views from the SHC is not extensive and that it occupies a relatively narrow portion of the overall view - an additional 6.5° from Beachy Head and 7.3° from Birling Gap, such that panoramic views to the sea will be retained and these will remain 'breathtaking'.</p> <p>The Applicant cannot commit to developing only within the Extension Area west of Rampion 1. Parts of the Zone 6 area were previously considered acceptable as part of the Rampion 1 consented area. Additionally, the areas to the south of Rampion 1 provide opportunity for the Applicant to maximise the amount of renewable energy that can be generated. The need for new nationally significant electricity infrastructure projects is recognised in</p>
2.1.37	<p><u>Reduction in the combined lateral spread of Rampion 1 and Rampion 2</u></p> <p>21. The expansion of the influence of turbines westwards through development within the Rampion extension area will increase the industrialisation of the seascape setting of the SNDP, particularly for inland locations located to the</p>	<p>The conclusions of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] (paragraphs 15.15.24 – 15.15.28) summarise the effects of the Proposed Development on the open downs of the South Downs National</p>

Ref	Natural England Comment	Applicant's Response
	<p>west of Wilmington Hill. Their presence in the seascape setting of the SDNP will further degrade the quality of views out to sea which are already adversely influenced by the turbines of the Rampion 1 array and will lead to further loss of the natural beauty for which this landscape was designated.”</p>	<p>Park (SDNP) ('inland locations located to the west of Wilmington Hill'), which occur particularly as a result of the expansion of the influence of the Proposed Development wind turbine generators (WTGs) westwards, in which its full western spread can be appreciated in the context of Rampion 1. Although significant effects on views will be experienced by people within this range of inland vantage points along the open tops of the downs, due to the increase in the WTGs developed seascape in panoramic views from the tops of the downs, the Proposed Development will be located at considerable distance (generally 20-30 km to the closest WTG) and will be experienced within a remote context setting beyond the intervening, non-designated and urbanised coastal strip between these open downs and the sea.</p>
2.1.38	<p><u>Why this is necessary:</u></p> <p>22. NE recognises the efforts of the Applicant to reduce the horizontal field of view of the Rampion 2 array. However, it remains the fact that from most viewpoints in the designated landscapes, the horizontal extent of Rampion 2 is doubled or tripled, meaning that a large part of the seaward horizon will be enclosed by WTGs. Therefore, it is not clear how the Applicant has given due regard to the Rampion 1 Design Principle 'need to limit, as far as possible, the horizontal degree of view of wind turbine generators from the SDNP and the SHC'</p>	<p>The Applicant welcomes recognition from Natural England that it has sought to reduce the horizontal field of view of the Rampion 2 array. The Applicant refers to its Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037], which provides more commentary on how the design of Rampion 2 has given due regard to the Rampion 1 Design Principle to limit, as far as possible, the horizontal degree of view of wind turbine generators from the South Downs National Park and the Sussex Heritage Coast.</p>
2.1.39	<p>23. As noted above, the placing of WTG in the Zone 6 area, also increases the lateral spread of the scheme from the key sensitive viewpoints in the SHC part of the SDNP</p>	<p>The Applicant refers to the responses above with regards to lateral spread and the placing of wind turbine generators in the Zone 6 area, as well as its Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037].</p>
<p>Question 6-2 In relation to Special Qualities of the National Park and Special Character of the Sussex Heritage Coast, provide justification for why and what further assessment is required, and explain why the existing assessments are not adequate to consider these impacts.</p>		
2.1.40	<p>24. The existing assessments provided as part of the ES show that the implementation of the Rampion 2 Design Principles have achieved an element of mitigation for impacts to the Special Qualities of the SDNP and Special Character of the SHC. However, Natural England does not agree that the Design Principles that have informed the Rampion 2 design have acted to remove the significance of effects to the SDNP in relation to Special Quality 1 or for Special Quality 3. A key omission of the assessment is there is no direct assessment of the impact that the Rampion 2 Design Principles have on the SDNP special qualities. Natural England advise that a large number of Significant adverse effects remain, and that there is potential for further refinement of the design to achieve better mitigation to reduce the significant adverse effects on the statutory purposes of the SDNP.</p>	<p>The Applicant welcomes recognition from Natural England that the implementation of the Rampion 2 Design Principles has achieved an element of mitigation for impacts to the Special Qualities of the South Downs National Park (SDNP) and Special Character of the Sussex Heritage Coast (SHC). The Applicant agrees that the embedded mitigation does not remove all significant effects in relation to the SDNP, accepting that despite the application of mitigation there remain some significant effects, however it considers that the Proposed Development has been designed carefully such that adverse effects have been reduced and that the statutory purposes of the SDNP will not be compromised. It is the Applicant's position that while there is harm to Special Quality1 (SQ)1 "Diverse, inspirational landscapes and breathtaking views" (during construction and operation) and SQ3 "Tranquil and unspoilt places" (during construction), the statutory purpose of the SDNP would not be compromised by the Proposed Development. Therefore, the Proposed Development accords with the</p>

Ref	Natural England Comment	Applicant's Response
		<p>requirements of the legal tests and the policy tests set out in NPS EN-1 (Department of Energy and Climate Change (DECC), 2011a) in relation to the SDNP.</p> <p>The Applicant's response to Action Point 27 in its Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024] sets out where and how the Development Consent Order (DCO) Application includes information in relation to the effects of the Proposed Development on the special qualities of the SDNP. It does so in the context of the relevant policy tests as set out in National Policy Statement (NPS) EN-1 (DECC,2011a) and the revised NPS EN-1 (Department for Energy Security and Net Zero (DESNZ), 2023a).</p> <p>The Applicant notes that a clear assessment of the effect of the Proposed Development (Offshore Array Area) on the special qualities of the SDNP is provided in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement (ES) [APP-056] (Table 15-32). It is the effect of the Proposed Development with its embedded design measures that requires to be assessed, not the impact of the design principles. The reduction in effect is evident in the comparative wirelines in Figures 15.93 – 15.109 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 3 of the Environmental Statement [APP-095].</p> <p>In its Mid-examination Progress Tracker submitted at Deadline 2 Submission – 8.22 Category 8: Examination Documents – Applicant's Mid Examination Progress Tracker [REP2-013], together with its responses to Deadline 2 Submission – West Sussex County Council 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020], Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Responses to South Downs National Park Authority Deadline 1 Submissions [REP2-024] and Natural England in Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Responses [REP2-025], the Applicant responds on reducing the visual effects through further design principles and notes that these opportunities are limited by the technical, economic and functional requirements of the Proposed Development to produce renewable energy, as well as other environmental factors. The Applicant has explained further what is meant by these technical, economic and functional requirements in the response to the Examining Authority's Written Question SLV 1.6, Table 2-1 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) which prevent further amendments to the design of the Proposed Development to reduce seascape/visual effects.</p>

Ref	Natural England Comment	Applicant's Response
2.1.41	25. The table below (table 2) details and justifies the further information requested by Natural England, which is required for Natural England to be able to advise in more detail on impacts to the statutory purposes of the SDNP and the special character of SHC. If required this response will be updated at Deadline 3 in response to additional information provided by the Applicant following Deadline 1 (Category 8 Examination Documents: SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note, February 2024, Rev A).	The Applicant has noted below where it has provided further information requested by Natural England.

Table 2 – Further Information Requested by Natural England

Further information requested by Natural England	Why this is required	Why the current assessment is not adequate	Applicant's Response
<p>Detail on how the Rampion 1 Design Principles have influenced the Rampion 2 maximum design scenario.</p> <p>The Applicant's justification for why the Rampion 1 mitigation measures do not directly apply to the Rampion 2 project.</p>	<p>Rampion 2 will negate much of the work to successfully negotiate design principles for Rampion 1 in Commitment C-61.</p> <p>The Applicant's view is that while having due regard to the Design principles in the Rampion Design Plan, Rampion 2 is a different project that should respond to its own parameters and principles that respond to its location and surroundings.</p> <p>However, the location and surroundings are effectively the same as Rampion 1. Natural England is therefore of the opinion that Rampion 2 is a direct extension of Rampion 1 and they will be perceived together. The design principles should therefore ensure the two developments work together and should not result in greater Significant effects on the SDNP and SHC.</p> <p>Natural England do not accept that some Rampion 1 design principles are not appropriate and consider the Applicant's justification is not adequate. Natural England has identified direct consequences of the Rampion 1 DCO Design Principles not being fully applied. For example, the Rampion 1 design principle (iii) was put in place to ensure that the largest WTGs (of a hybrid scheme) were not constructed in the most sensitive areas of the Rampion 1 order limits. For Rampion 2 this principle is not carried forward if the applicant is granted the flexibility it requests within the Rampion 2 order limits on the number of WTGs within each area (zone 6 / extension area). This flexibility is incompatible with the applicant applying due regard to the Rampion 1 design principles. Especially given</p>	<p>The Applicant's justification is that <i>'where appropriate, the intentions of the Design Principles established for Rampion 1 are followed through to the Rampion 2 design plan'</i>.</p> <p>Natural England does not agree that the intentions of the Design Principles have been followed. The Examining Authority has not been provided information on where it was not appropriate to apply Rampion 1 Design Principles to the Rampion 2 Project, and a rationale for why this is the case.</p>	<p>Further information provided in the Applicant's Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037].</p>

Ref	Natural England Comment	Applicant's Response
<p>c. Evidence to demonstrate why constructing more WTG in the Zone 6 (Eastern Array Area) than described within the indicative layout would not present a 'greater worse-case effect'.</p>	<p>the difference in height between Rampion 1 and Rampion 2 WTGs</p> <p>Natural England has consistently advised the Applicant that there should be no turbines in Crown Estate Zone 6 due to the potential for major adverse effects on most sensitive views from within the SHC within the SDNP.</p> <p>Constructing more turbines in this area than described in the indicative layout would therefore present a 'greater worse-case effect'.</p>	<p>The ES contains no evidence to show how further turbines than shown in the presented MDS layout will not result in greater worse-case effects.</p> <p>It would be helpful to have an indication of the location of any additional turbines as it is not clear how they would be perceived in relation to the existing MDS layout when viewed from key sensitive viewpoints within the SHC, such as at Beachy Head and Birling Gap where they would be likely to result in a greater worst- case effect.</p>
<p>d. Evidence to show that a greater densification of WTG in either the Zone 6 Area or Extension Area will not materially increase the effect of the Proposed Development on coastal views from protected landscapes.</p>	<p>The SLVIA page 277 states that a greater densification of turbines in the Zone 6 Area or Extension Area <i>'will not materially increase the effect of the proposed development on coastal views'</i>. No evidence was provided to support this. Natural England do not agree with this statement because:</p> <p>The density of turbines is an important element of how the array will be perceived from many of the viewpoints.</p> <p>The presence of a reduced perceived density of turbines is crucial to achieving the 'separation foreground' Design Principle (SLVIA 15.7.49).</p>	<p>Natural England require confirmation on the agreed minimum spacing and a demonstration that it will not reduce further resulting in an even greater density. Natural England advise that there should be an agreed maximum number of turbines in each zone. Natural England require the Applicant to apply and demonstrate good design to achieve consistency in density and the required 'separation foreground'.</p>
<p>e. An explanation of the balancing exercise that was undertaken between the spatial extent of the Rampion 2 array and the apparent height of Rampion 2 WTGs.</p>	<p>Natural England agrees that the reduction in the spatial extent of the Rampion 2 array will result in a <i>'better balance in apparent WTG size'</i> compared to the original proposal (Table 15-7, page 65). The SLVIA does not describe any balancing exercise undertaken or contain a narrative to support this claim. Natural England would like to understand how this 'better balance' was determined.</p> <p>In any event, a <i>'better balance in apparent WTG size'</i> does not mean that the apparent Rampion 2 turbine sizes will not remain Significant in EIA</p>	<p>Natural England remains of the view that there will be Significant adverse effects in relation to the SHC part of the SDNP. This is due to apparent difference in turbine heights visible in close proximity from these sensitive receptors.</p> <p>While a better 'balance' has been achieved in relation to the PEIR design, there is no evidence to show the effect of the balancing exercise on spatial extent and apparent height of the Rampion 2 turbines.</p>

Ref	Natural England Comment	Applicant's Response
	<p>terms from key viewpoints within designated landscapes. This is because:</p> <p>a) The apparent heights to blade tip of the nearest Rampion 2 WTGs do not fall below 0.4 degrees from any of the viewpoints included within the Environmental Statement that are situated within a designated landscape, indicating that the scale of effects from all viewpoints within designated landscapes have the potential to be significant (see Natural England RR-265)</p> <p>b) The apparent differences in size between the Rampion 1 and Rampion 2 WTGs will still exacerbate the adverse seascape and visual issues associated with the Rampion 2 project.</p>	
<p>f. A report on the cumulative visual effects, which includes an assessment of the visual effects from the perceived heights of the Rampion 2 WTGs in comparison to the Rampion 1 WTGs.</p>	<p>Natural England agrees with the Applicant that the perceived height of Rampion 2 turbines in comparison to Rampion 1 turbines '<i>is likely to be central to the potential for cumulative visual effects</i>'. (SLVIA para 15.6.27). However the SLVIA does not provide a clear assessment of these cumulative effects.</p>	<p>The visual effects of the perceived heights of Rampion 2 WTGs in comparison to Rampion 1 WTGs is a key issue for the viewpoints/special qualities within the SHC part of the SDNP. It is not clear how the SLVIA has formally assessed these cumulative visual effects.</p> <p>The Applicant considers that a further report on cumulative visual effects is not needed as effects are considered in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056]. In accordance with guidance (Guidelines for Landscape and Visual Impact Assessment Third edition (GLVIA3), Landscape Institute 2013, paragraph 7.13), existing projects (i.e. Rampion 1) and those which are under construction are included in the seascape, landscape and visual impact assessment (SLVIA) baseline and described as part of the baseline conditions. An assessment of the additional effect of Rampion 2 is therefore undertaken against a baseline that includes the operational Rampion 1 as part of the main assessment in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] Section 15.10 (operation and maintenance phase). This includes assessment of the effect of the Proposed Development against magnitude factors such as its size, scale, spread and landscape context, as well as factors relating to the cumulative effect with operational Rampion 1 wind farm, such as its increase in spread, aesthetic relationship and consistencies of perceived scale and spacing in comparison to the Rampion 1 wind turbine generators (WTGs).</p> <p>In undertaking its assessment with Rampion 1, the Applicant has followed the Planning Inspectorate's Advice Note Seventeen:</p>

Ref	Natural England Comment	Applicant's Response
		<p>Cumulative Effects Assessment (The Planning Inspectorate, 2019¹) relevant to nationally significant infrastructure projects, in particular the note under table 2 which states (emphasis added): <i>“Where other projects are expected to be completed before construction of the proposed NSIP and the effects of those projects are fully determined, effects arising from them should be considered as part of the baseline and may be considered as part of both the construction and operational assessment”.</i></p>
	<p>g. Paragraph 15.7.29 states that ‘the less HFoV that is affected, the lower the magnitude of change’. The Applicant should provide a detailed explanation of how the magnitude of change at representative viewpoints has been determined exactly, given the Preliminary Environmental Impact Report (PEIR) or Environmental Statement (ES) design option.</p> <p>h. A demonstration of how the design of Rampion 2 limits as far as possible the horizontal field of view (HFoV) of WTG</p> <p>Natural England recognise the efforts of the Applicant in reducing the horizontal field of view of the Rampion 2 array. The SLVIA states that this Design Principle reduces the magnitude of change for many viewpoints, with significant implications for the Applicant’s own assessment of effects. However, given the substantial scale and lateral spread of development that the reduced array area still represents (bearing in mind the human eye physically cannot see the entirety of the Rampion 2 array in a single view from the majority of the representative viewpoints), clarification should be provided by the Applicant regarding how the actual decreases in magnitudes of change between design options have been determined. Natural England advises that addressing this issue is critical to understanding the judgements made in the SLVIA, as the horizontal extent of Rampion 2 will be double or triple the horizontal extent of Rampion 1 from most viewpoints within designated landscapes. This means that a very large proportion of the visible seaward horizon will be enclosed by Rampion 2. It is not clear from the SLVIA whether the significance of visual effects described have reduced simply because the Rampion 2 ES design now has a smaller Horizontal Field of View (in degrees).</p>	<p>Natural England does not agree with the conclusion that effects on panoramic views to the sea from the eastern part of the SHC area of the SDNP are not Significant. It is not clear how the decreases in magnitude of change have been determined. It does not show how these effects are reduced, and whether it is an actual reduction of effect or simply relative to the PEIR design. As a result it has not been established whether the design of Rampion 2 now limits, as far as possible, the horizontal field of view of wind turbine generators from the SDNP and the SHC.</p> <p>The Applicant would note that the magnitude of change has been assessed at representative viewpoints based on the magnitude of change factors and definitions set out in Appendix 15.2: Seascape, Landscape, and Visual Impact Assessment methodology, Volume 4 of the Environmental Statement [APP-158] (paragraph 1.6.16 and Table 1-5). In relation to horizontal field of view (HFoV) specifically, an assessment is provided for each representative viewpoint assessed in detail in Appendix 15.4: Viewpoint assessment, Volume 4 of the Environmental Statement [APP-160]. Each viewpoint, under the bullet point ‘Field of View’ includes a description and measurement (in degrees) of the overall HFoV affected by the Proposed Development as a proportion of the available view, as well as the additional HFoV that the Proposed Development adds beyond the HFoV already affected by Rampion 1 i.e. its additional contribution or extension to the wind farm developed HFoV. HFoV is one of several factors that are considered to arrive at an assessment of magnitude of change.</p>

¹The Planning Inspectorate (2019) Nationally Significant Infrastructure Projects - Advice Note Seventeen: cumulative effects assessment relevant to nationally significant infrastructure projects, version 2 [Online] Available at: <https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-seventeen-cumulative-effects-assessment-relevant-to-nationally-significant-infrastructure/nationally-significant-infrastructure-projects-advice-note-seventeen-cumulative-effects-assessment-relevant-to-nationally-significant-infrastructure>

Ref	Natural England Comment	Applicant's Response
	<p><i>from the SDNP and the SHC.</i></p>	
	<p>The Applicant has committed to applying due regard 'to Design Principles held in Rampion 1 Design Plan' with proposed environmental measure C-61. Design Principle (a) (i) listed in Condition 11, Part 2, 11 3(a) (page 106) of the Rampion 1 DCO refers to the 'need to limit as far as possible the horizontal degree of view of wind turbine generators from the SDNP and the SHC'. However, it has not been established whether the design of Rampion 2 now limits, as far as possible, the horizontal field of view of wind turbine generators from the SDNP and the SHC. Evidence on this matter is not presented within the SLVIA</p>	
<p>i. A clear and direct assessment of the impact that the Rampion 2 Design Principles have on the special qualities of the SDNP.</p>	<p>Natural England does not agree that the Design Principles that have informed the Rampion 2 design have acted to adequately reduce the significance of effects to the SDNP in relation to Special Quality 1 or for Special Quality 3. There is no direct assessment of the impact that the Rampion 2 Design Principles have on the SDNP special qualities.</p>	<p>Natural England agrees that there has been a comparative reduction of effects between the PEIR and ES. However, Significant adverse effects on the special qualities of the SDNP remain. This indicates that the application of the Rampion 2 design principles is not sufficiently robust to reduce effects on special qualities 1 and 2. The Applicant relies on achieving a comparative reduction in effects in relation to the PEIR, rather than directly assessing the effectiveness of the Rampion 2 design principles.</p>
<p>j. Justification as to how the natural beauty of the SDNP, in those proportions of the National Park adversely effected by the scheme, will remain unchanged given the SLVIA conclusion that significant harm is likely to occur to Special Quality 1 - diverse, inspirational</p>	<p>Natural England agrees with the Applicant that the Rampion 2 project will result in significant harm to SDNP Special Quality 1, particularly the 'stunning, panoramic views to the sea'. In paragraph 15.15.40 of the SLVIA the Applicant states that 'Whilst significant harm would be caused to this quality ('breathtaking views' and 'stunning, panoramic views to the sea'), this would not compromise the purpose of the designation, as the natural beauty of the SDNP will remain upper bowms, and Rampion 2 will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation.' We do not agree with this reasoning. The Applicant concludes that Rampion 2 will cause</p>	<p>A clear assessment of the effect of the Proposed Development (Offshore Array Area) on the special qualities of the South Downs National Park (SDNP) is provided in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] (Table 15-32), with Section 15.7 setting out the design principles and embedded measures that have reduced the impact of the Proposed Development on the special qualities of the SDNP. Further information about how the design principles have reduced the impact of the Proposed Development on the special qualities of the SDNP is provided in the Applicant's Deadline 1 Submission – 8.35 SLVIA Maximum Design Scenario and Visual Design Principles Clarification Note [REP1-037].</p>
<p>j. Justification as to how the natural beauty of the SDNP, in those proportions of the National Park adversely effected by the scheme, will remain unchanged given the SLVIA conclusion that significant harm is likely to occur to Special Quality 1 - diverse, inspirational</p>	<p>Natural England does not agree with the conclusion that Rampion 2 will not compromise the purpose of the SDNP, given that the Applicant has identified significant harm to Special Quality 1. Significant harm to a Special Quality will inevitably compromise the statutory purpose of the SDNP.</p>	<p>The Applicant's response to Action Point 27 in its Deadline 1 Submission – 8.25.5 Applicant's Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024] sets out where and how the Development Consent Order (DCO) Application includes information in relation to the effects of the Proposed Development on the special qualities of the South Downs National Park (SDNP). It does so in the context of the relevant policy tests as set out in National Policy Statement (NPS) EN-1 (Department of Energy and Climate Change, 2011a) and the revised NPS EN-1 (Department for Energy Security and Net Zero, 2023a). It is the Applicant's position that while there is harm to Special Quality (SQ)1 "Diverse, inspirational landscapes and breathtaking views" (during construction and operation) and SQ3 "Tranquil and unspoilt places" (during construction), the statutory purpose of the SDNP would not be compromised and that the</p>

Ref	Natural England Comment	Applicant's Response
	<p>landscapes and breath-taking views. significant harm to Special Quality 1, so it is illogical to conclude that it will not compromise the statutory purpose of the SDNP, which is to conserve and enhance natural beauty.</p>	<p>Proposed Development accords with the requirements of the legal tests and the policy tests set out in the NPS in relation to the SDNP.</p>
<p>k. A conclusion on the significance of the change to tranquillity (SDNP Special Quality 3 – tranquil and unspoilt places) at night-time ‘around the tops of the downs’ where ‘tranquillity is greatest’.</p>	<p>The Applicant has assessed in Table 15-32 (page 397) that night-time lighting of Rampion 2 will ‘<i>result in relatively low change to the tranquillity experienced within the SDNP coastline</i>’ and has not offered a conclusion on the significance of the change to tranquillity at night-time ‘<i>around the tops of the downs</i>’ where ‘<i>tranquillity is greatest</i>’. It is understood from Appendix 15.5, which does not assess special qualities, that the representative night-time viewpoints from ‘<i>tops of the downs</i>’ were assessed as not significant due to the lighting being perceived as an ‘extension of a familiar feature’ i.e. Rampion 1. Natural England does not agree with this assessment, as the lateral spread of the Rampion 2 lighting will be perceived as a tripling of the extent of lighting that is already visible from Rampion 1. The Applicant should bring forward evidence-based conclusions regarding the significance of the predicted changes on the night-time tranquillity of these specific areas</p>	<p>Natural England does not agree with the Applicant’s conclusion that effects on visual receptors at the ‘tops of the downs’ as a result of lighting will not be significant. This is due to the increased lateral spread of Rampion 2 which will result in a threefold increase in the extent of lighting when considered in addition to Rampion 1. The Applicant has not drawn conclusions regarding the effect of lighting on tranquillity experienced at night time from the ‘tops of the downs’.</p> <p>The Applicant’s response to Action Point 27 in Deadline 1 Submission – 8.25.5 Applicant’s Post Hearing Submission – Issue Specific Hearing 1: Appendix 5 – Further information on Action Point 27 – South Downs National Park [REP1-024] sets out a conclusion on the significance of effect to tranquillity experienced at night-time around the tops of the downs (South Downs National Park (SDNP) Special Quality 3 – tranquil and unspoilt places).</p>
<p>Question 6-3 In relation to National Landscapes (Chichester Harbour and the eastern portions of the Isle of Wight), provide justification for why and what further assessment of the west ward expansion is required, and explain why the existing assessments are not adequate to consider these impacts.</p>		
<p>2.1.42</p>	<p>26. Natural England’s advice is that the Examining Authority does not have information on (i) whether the Applicant’s Design Principles have been applied to the consideration of effects on the CHAONB and IoWAONB and (ii) whether navigation and aviation lighting will result in significant effects on the IoWAONB, specifically Special Quality 5 which includes ‘dark starlit skies’. Natural England advises that further information on these matters is required to understand the impacts to the Chichester Harbour and Isle of Wight National Landscapes.</p>	<p>The Applicant has provided further comments on the degree to which design principles applied in relation to Chichester Harbour Area of Outstanding Natural Beauty (CHAONB) and Isle of Wigh Area of Outstanding Natural Beauty (IoWAONB) in response to the Examining Authority’s Written Question SLV 1.8a, Table 2-1 in the Applicant’s Responses to Examining Authority’s First Written Questions (ExQ1) (Document reference: 8.54).</p> <p>The Applicant has provided further information on the whether lighting will result in significant effects on IoW AONB Special Quality 5 in response to the Examining Authority’s Written Question SLV 1.8b, Table 2-1 in the Applicant’s Responses to Examining Authority’s First Written Questions (ExQ1) (Document reference: 8.54).</p>

Ref	Natural England Comment	Applicant's Response
2.1.43	<p data-bbox="222 283 652 325"><u>Chichester Harbour AONB</u></p> <p data-bbox="222 357 1825 493">27. Chichester Harbour AONB has ten special qualities, which are set out in full in the Chichester Harbour Management Plan (2019-2024). Nine of these special qualities have been scoped into the Applicants assessment, as set out in Table 15.35 of the SLVIA. The Applicants assessment indicates that the array will result in significant effects on receptors within the CHAONB and its special qualities, namely;</p> <ul data-bbox="222 525 1825 703" style="list-style-type: none"> <li data-bbox="222 525 1825 556">• A significant (moderate) effect on MCA05 The Solent which is partially within the CHAONB; <li data-bbox="222 556 1825 588">• A significant (moderate) effect for visual receptors at Viewpoint 22 Eastoke Point; and <li data-bbox="222 588 1825 703">• A significant (major/moderate) effect on the 'unique blend of land and sea' special quality (SQ1) and a significant (moderate) effect on the perceived 'significance of the sea' and of 'distant landmarks across water' (SQ3). 	<p data-bbox="1825 283 2837 735">With respect to the Chichester Harbour Area of Outstanding Natural Beauty (CHAONB), the assessment in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] found that Rampion 2 will result in not significant effects on the character of the harbour basin area at the core of the CHAONB and the majority of its special qualities. Further design mitigation in respect of the CHAONB was therefore not considered to be needed beyond the measures incorporated within the reduction in the spatial extent of the proposed DCO Order Limits (array area) embedded within the Pre-Exam Procedural Deadline Submission – 2.2.1 Offshore Works Plans- Revision B [PEPD-004], which slightly reduced the western lateral spread of wind turbine generators (WTGs) in views from the CHAONB.</p> <p data-bbox="1825 735 2837 1291">There is very limited visibility of Rampion 2 from the CHAONB when surface feature screening is factored in, as seen in the Zone of Theoretical Visibility (ZTV) in Figure 15.15 of Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 1 of 8), Volume 3 of the Environmental Statement [APP-088]. The CHAONB is very low lying and the intervening coastal plain landform, buildings and vegetation and orientation provide screening from the waters and estuaries, which are not affected. This can be seen in viewpoints within the CHAONB from which there is no effect as the Rampion 2 wind turbine generators (WTG) will not be visible, including Viewpoint B(i) Chichester Marine (Figure 15.74 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the Environmental Statement [APP-095]) and Viewpoint B(ii) Dell Quay (Figure 15.75 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the Environmental Statement [APP-095]).</p> <p data-bbox="1825 1323 2837 1942">The assessment in Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] finds that there is a very localised significant effect on the perceived 'unique blend of land and sea' (referred to in Special Quality 1) and 'significance of.... distant landmarks across land and water' (referred to in Special Quality 3), as experienced from a very limited area of the coastal edges/open seascape at the mouth to Chichester Harbour. Viewpoint 22 Eastoke Point (Figure 15.47 in Chapter 15: Seascape, landscape and visual impact assessment – Figures (Part 8 of 8), Volume 3 of the Environmental Statement [APP-095]) provides a representative viewpoint on the coastal edge of the CHAONB from which these effects may be observed. These effects are however geographically contained to the open waters at the mouth of the harbour (LCA A1) and adjacent coastline at Eastoke Point and are not experienced from the wider areas of the CHAONB, including the open waters of the Chichester Harbour Central Basin (B1), where the magnitude of change is assessed as negligible and Not Significant (minor), due to the very limited theoretical visibility of the Rampion 2, the</p>

Ref	Natural England Comment	Applicant's Response		
2.1.44	28. Natural England judges that westward expansion of WTGS will result in Significant effects on the seascape setting of CHAONB.	low-lying landscapes, wooded shorelines and the degree of intervening screening by vegetation and development on the Manhood Peninsula. Not significant effects were assessed on all other special qualities of the CHAONB. The Applicant refers to the response in reference 2.1.43 above.		
2.1.45	<u>Isle of Wight AONB</u> 29. The Isle of Wight AONB (IoWAONB) has nine special qualities, which are set out in full in Appendix 1 of the Isle of Wight AONB Management Plan (2019-2024). Eight of these special qualities have been scoped into the Applicants assessment, as set out in Table 15.42 of the SLVIA. 7.4 The Applicants assessment does not identify any significant effects on landscape, seascape or visual receptors within the IoWAONB, nor on its special qualities.	Noted, the Applicant has no further comments on at this time.		
2.1.46	30. Natural England advised the Applicant of concerns regarding to Special Quality 5, which includes 'dark starlit skies'. The Applicant finds that effects would not be significant "...because the aviation lights will be viewed relatively near the horizon, or even below the skyline from elevated parts of the IoW AONB, so while they may have effects by breaking into the darkness as point features of light, appearing visible in the seascape, they are not expected to result in obtrusive light that would harm the enjoyment of the 'dark starlit skies'. (SLVIA, Table 15-42)". Natural England considers that these conclusions cannot be drawn as the Applicant has not provided a formal assessment of effects on Special Quality 5 of the IoWAONB 'dark starlit skies';	The Applicant has provided further information on whether lighting will result in significant effects on Isle of Wight Area of Outstanding Natural Beauty (IoW AONB) Special Quality 5 in response to the Examining Authority Written Question SLV 1.8b Table 2-1, in the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) .		
2.1.47	31. 7.6 Natural England had also advised the Applicant that there is the potential for significant adverse effects in relation to Special Quality 3 'long-distance views from coastal health and downland'. This is because views out to sea from portions of Landscape Character Type 1 (Chalk Downs) are a key component of this landscape. NE advises that the landscape and views from LCT 1 will be significantly altered by the turbines of Rampion 2. As a result, we conclude that this special quality of the IoWAONB will be significantly affected thereby degrading the natural beauty of this portion of the designation. Therefore, Natural England disagrees with the Applicants assessment and considers that there would be significant effects on the eastern portions of the IoWAONB at Bembridge Down and St. Boniface Down, resulting in further loss of natural beauty for these designations.	With respect to the Isle of Wight Area of Outstanding Natural Beauty (IoW AONB), the Applicant would comment that the Offshore Array Area is viewed at its narrowest and at long range from the IoW AONB (over 31 km from its closest point and 34km from Bembridge Down/Culver Cliff), and it was assessed that effects were unlikely to be significant and this was agreed with the Isle of Wight Council (as noted in Table 15.7 in Chapter 15: Seascape, landscape and visual impact Assessment, Volume 2 of the Environmental Statement [APP-056]). Further design mitigation was therefore not considered to be necessary with regards to the IoW AONB given the not significant impacts arising.		
2.1.48	The following table (Table 3) summarises why further information is required			
	Further information requested by Natural England	Why this is required	Why the current assessment is notadequate	Applicant's Response
	I. An assessment of the impact that the Rampion 2 Design Principles have on the special qualities of the CHAONB and IoWAONB.	The Rampion 2 Design Principles appear to act mainly in the SHC area within the SDNP; a very small geographic area of the SDNP with the potential to be impacted by Rampion 2. Therefore, Natural England considers that the Design Principles for Rampion 2 have not been met with regard to effects on	The Examining Authority does not have information on whether the Applicant's Design Principles have been applied to the consideration of effects on the CHAONB and IoWAONB, and if so how effective this has been in reducing impacts on those designated landscapes to	The Applicant has provided further comments on degree to which design principles applied in relation to CHAONB and IoWAONB in response to the Examining Authority's Written Question SLV 1.8a, Table 2-1 in the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) .

Ref	Natural England Comment	Applicant's Response		
	<p>m. A technical assessment, inclusive of modelling work, on potential visual effects from both navigation and aviation lighting to IoWAONB Special Quality 5</p>	<p>CHAONB and IOWAONB. For example, in views from Bembridge Fort (SLVIA Viewpoint 34) and St Boniface Down above Ventnor (SLVIA Viewpoint 35) the scheme will introduce turbines into portions of the seascape setting of 2 other designated landscapes (CHAONB and IoWAONB) which are currently free of such visual intrusion.</p> <p>The aviation lighting ZTV in SLVIA Figure 15.25 indicates that parts of the IoWAONB will experience theoretical visibility of up to 42 lit turbines, particularly from the east-facing coastline. However, no assessment of effects on aviation lighting on the IoWAONB has been undertaken in the ES. Furthermore, there are nonight-time photomontages from the IoWAONB to evidence the conclusions of the assessment.</p>	<p>acceptable levels. This information is not currently available in the Environmental Statement.</p> <p>The Examining Authority does not have information on whether navigation and aviation lighting will result in significant effects on the IoWAONB, specifically Special Quality 5 which includes 'dark starlit skies'. This information is not currently available in the Environmental Statement.</p>	<p>The assessment in Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 of the Environmental Statement [APP-056] (Table 15-42) finds that the operational effects of the lighting of the offshore elements of Rampion 2 will result in a medium-low to low magnitude of change and not significant effects on the 'dark starlit skies' special quality of the IoW AONB. The Applicant has provided further information on the whether lighting will result in significant effects on IoW AONB Special Quality 5 in response to the Examining Authority's Written Question SLV 1.8b in the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).</p>

Table 4-4 Deadline 2 Submission - Natural England's Response to the Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters

Ref	Natural England Comment		Natural England's Response	Applicant's Response
Q. No	Question Topic	Question	Natural England's Response	Applicant's Response
Agenda Item 4 - Effects of the Proposed Substation at Cowfold / Oakendene				
Q4-1	<i>Ecology, wildlife surveys and observations at Oakendene</i> Natural England	Confirm whether there are no designated sites, priority habitats or documented local wildlife sites at the proposed substation site at Oakendene.	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.
Q4-2		Comment on the wildlife surveys undertaken by the Applicant at the proposed substation site at Oakendene.	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.
Q4-3		Comment on the wildlife observations made by Interested Parties in regards to this site, particularly by Ms Creaye [RR-164] and [PEPD-077] and Ms Smethurst [RR-236] and [PEPD-083] in their respective Relevant Representations and Responses to Relevant Representations.	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.
Q. No	Question Topic	Question	Natural England's Response	Applicant's Response
Agenda Item 5 - Construction Effects				
Q5-1	<i>Biodiversity Net Gain</i> Natural England	Confirm whether the Applicant's approach towards Biodiversity Net Gain (BNG) [APP-193] as its method and approach of mitigating the effects of the Proposed Development is supported, given that BNG is not currently a requirement of nationally significant projects to date.	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.
Q5-2	<i>HDD at Climping Beach SSSI</i> Natural England	Confirm if further discussions have taken place with the Applicant regarding drilling beneath the Site of Special Scientific Interest (SSSI) since the Application was submitted for examination in August 2023.	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.

Ref	Natural England Comment	Applicant's Response
Q5-3	Respond on the adequacy of Commitment C-217 of the Commitments Register [APP-254], which states "The HDD works at the landfall location will be programmed to avoid the winter period between October and February inclusive, to avoid disturbance to wintering waterbirds during the coldest period", and whether this sufficiently mitigates concerns with the proposed HDD beneath Climping Beach SSSI.	To be provided as part of an additional submission prior to Deadline 3. The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.

Q. No	Question Topic	Question	Natural England's Response	Applicant's Response
Agenda Item 6 - South Downs National Park				
Q6-1	<i>Seascape and Visual Effects</i> Natural England	In relation to the Special Qualities of the National Park and Special Character of the Sussex Heritage Coast, provide justification for why the suggested amendments to the eastern array in the form of exclusion of Wind Turbine Generators and a reduction in the combined lateral spread of Rampion 1 and Rampion 2 are necessary.	Natural England advise that it is necessary to exclude Wind Turbine Generators (WTGs) from the Rampion Zone 6 eastern array area and reduce the lateral spread of turbines from R1 and R2 in adherence to the Design Principles as secured in the Rampion 1 DCO/DML, (section 1.3a RR-265) because these principles served to mitigate major adverse impacts of Rampion 1 on the statutory purposes of the South Downs National Park (SDNP) and Sussex Heritage Coast (SHC). The current design means that from the highly sensitive protected landscape between Beachy Head to Birling Gap the Rampion 2 WTGs will appear to be nearly twice the height of the Rampion 1 WTGs. The current design also means that the lateral spread of turbines from the R2 scheme will be double to triple the horizontal extent of Rampion 1 from most viewpoints within SDNP (section 3.5e(i) RR-265). Natural England considers a significant adverse effect on a defined special quality as a significant impact on the designations statutory purpose. Natural England's assessment of the evidence is that: the impacts to SDNP Special Quality 1 (- diverse, inspirational landscapes and breath-taking views) from the Rampion 2 project are significant/major. the impacts to SDNP Special Quality 3 (tranquil and unspoilt places) from the Rampion 2 project are also significant/major. This is because a large part of the seaward horizon in views out of the SDNP and SHC will be enclosed by WTGs, which will also be visible from the tops of the downs. The ES records the experience of tranquillity as greatest from the tops of the downs, where many of the viewpoints offer direct views to the open seascape, which could also be affected at night time due to the WTG lighting. For further detailed comments please refer to Appendix N2 - Annex 1.	Please refer to the Applicant's response to references 2.1.16, 2.1.17 and 2.1.18 above.
Q6-2		In relation to Special Qualities of the National Park and Special Character of the	The existing assessments provided as part of the Environmental Statement (ES) show that the implementation of the Design Principles have achieved an element of mitigation for impacts to the Special	Please refer to the Applicant's response to reference 2.1.40 above.

Ref	Natural England Comment		Applicant's Response	
Q6-3	Sussex Heritage Coast, provide justification for why and what further assessment is required, and explain why the existing assessments are not adequate to consider these impacts	Qualities of the SDNP and Special Character of the SHC. However, Natural England does not agree that the Design Principles that have informed the Rampion 2 design have acted to remove the significance of effects to the SDNP in relation to Special Quality 1 or for Special Quality 3. A key omission of the assessment is there is no direct assessment of the impact that the Rampion 2 Design Principles have on the SDNP special qualities. Natural England advise that a large number of Significant adverse effects remain, and that there is potential for further refinement of the design to achieve better mitigation to reduce the significant adverse effects on the statutory purposes of the SDNP. For further detailed comments please refer to Appendix N2 - Annex 1.	Please refer to the Applicant's response to references 2.1.42 to 2.1.48 above.	
Q6-3	In relation to National Landscapes (Chichester Harbour and the eastern portions of the Isle of Wight), provide justification for why and what further assessment of the west ward expansion is required, and explain why the existing assessments are not adequate to consider these impacts.	Natural England advise that the Examining Authority does not have information on (i) whether the Applicant's Design Principles have been applied to the consideration of effects on the Chichester Harbour Area of Outstanding Natural Beauty (CHAONB) and Isle of Wight Area of Outstanding Natural Beauty (IoWAONB) and (ii) whether navigation and aviation lighting will result in significant effects on the IoWAONB, specifically Special Quality 5 which includes 'dark starlit skies'. Natural England advise that this further information is required to understand the impacts to the Chichester Harbour and Isle of Wight National Landscapes. For further detailed comments please refer to Appendix N2 - Annex 1.		
Q6-4	<p><i>Habitats Regulations Assessment for the Arun Valley Special Protection Area</i></p> <p>Natural England</p> <p>Horsham District Council</p>	Natural England state in their Relevant Representation (RR) [RR-265 section 5.25 page 16] and Principal Areas of Disagreement Statement [AS-011 page 4], that there is the risk of a temporary loss of functionally linked land used by waterbirds related to the Arun Valley Special Protection Area during the construction phase of the Proposed Development lasting for several years longer than predicted, before it is returned to its previous condition. It is advised that this extended timeframe needs to be further assessed	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.

Ref	Natural England Comment		Applicant's Response
Q6-5	<p><i>Water Neutrality</i> Natural England</p> <p>within the Environmental Statement. Explain whether this further assessment been undertaken or discussed since the Application was submitted for examination in August 2023.</p> <p>It is advised [AS-011 page 4] and [RR- 265 section 5.26 page 17] that development proposals within the Sussex North Water Supply Zone area that would lead to an increase in water demand will need to demonstrate and robustly evidence water neutrality and that an assessment of water neutrality is required to be undertaken by the Applicant in regards to the Proposed Development.</p> <p>Confirm whether any progress has been made or discussions have taken place with the Applicant in regard to this request.</p>	To be provided as part of an additional submission prior to Deadline 3.	The Applicant notes that further information regarding these concerns has not been received prior to Deadline 3. The Applicant will provide a response to information received at a future Deadline.

Question Topic	Question	Natural England's Response	Applicant's Response
Agenda item 9 - Ornithology			
Q9-1 <i>Turbine Design</i> Natural England	Confirm whether the proposed air gap of 22m above Mean High Water Spring for the design of the wind turbine generators agreed at the pre-application stage is suitable for this location in regard to collision risk.	Natural England considers that there is evidence to suggest that the cumulative impact on great black-backed gull due to collision risk is 'moderate adverse' i.e. significant at the EIA scale, and the contribution of Rampion 2 to this impact is substantial. Natural England also consider that Adverse Effects on Integrity (AEOI) for kittiwake at Flamborough and	

Ref Natural England Comment
Applicant's Response

Ref	Natural England Comment		Applicant's Response	
Q9-2	Explain whether any concerns exist over the minimum turbine spacing stated in the draft DCO of 830m.	Filey Coast Special Protection Area (SPA) due to in-combination collision effects cannot be ruled out. A larger 'air gap' achieved by raising the blades higher from the sea surface has the potential to decrease the number of predicted collisions, thereby mitigating this impact to some extent. However as set out in our Relevant Representations, raising the turbine blades higher would result in increased visual impacts on designated landscapes, notably the South Downs National Park, and therefore in this instance, Natural England considers this is not an appropriate mitigation measure for the Applicant to pursue		
Q9-3	<p><i>Cumulative Impact on the Great Black-backed Gull</i></p> <p>Natural England</p>	<p>It is stated [RR-265 Appendix B page 5] that NE does not agree with the Applicant's conclusion in Chapter 12 of the Environmental Statement [APP-053] that the cumulative impact on the great black-backed gull across the UK South-west & Channel Biologically Defined Minimum Population Scale is not significant. It further states that "a 1.99% increase on baseline mortality is significant in Environmental Impact Assessment (EIA) terms, and that the Population Viability Analysis results show that this would severely impact the regional population, resulting in a population 19% smaller than the counterfactual after 30 years".</p> <p>i. Explain whether there have been further discussions with the Applicant regarding this point.</p> <p>ii. Confirm whether the Applicant has followed the recommended guidance and methodology in relation to this analysis.</p> <p>iii. Set out whether discussions are ongoing with the Applicant.</p>	<p>Natural England has no concerns over the minimum turbine spacing in the context of offshore ornithology.</p> <p>i. The Applicant has provided a document of updated collision risk modelling with different parameters at Deadline 1. We are currently reviewing this and will provide comments at Deadline 3.</p> <p>ii. The Applicant followed the recommended guidance for collision risk modelling in their original submission, but have deviated from it in their updated collision risk modelling document [REP1-038]. Natural England's advice is that the largest bio-season population for each species should be used as the reference population for annual EIA-scale impacts. The Applicant has presented their own method for calculating the breeding season population, alongside what they consider to be Natural England's position. Natural England's method is to sum the populations of all breeding colonies within the relevant Biologically Defined Minimum Population Scales (BDMPS) region for that species, as defined in Furness (2015). The Applicant has chosen also to include overseas birds in the relevant breeding populations, which Natural England does not consider to be appropriate. Furthermore, we do not agree with the population the Applicant has calculated using our method either. This is due to a quirk in the appendix of Furness (2015), where tables are provided listing colony sizes for UK SPAs, plus an aggregated number for non-SPA colonies. In most cases these non-SPA colonies are presented for each relevant BDMPS region, but for GBBG a total figure for all western UK colonies is presented, covering both the "West of Scotland" and</p>	<p>Q9-3i Noted, the Applicant has no further comments on at this time.</p> <p>Q9-3ii The Applicant is unsure as to where Natural England are suggesting there has been a deviation from guidance within the Deadline 1 Submission – 8.36 Great black-backed gull assessment sensitivity report [REP1-038]. Natural England's comment refers to BDMPS population size definitions, however no reference to BDMPS populations is made within the report Deadline 1 Submission – 8.36 Great black-backed gull assessment sensitivity report [REP1-038]. The Applicant will await receipt of Natural England's written responses at Deadline 3 and seek further clarification on this point if required.</p> <p>Q9-3iii Noted, the Applicant has no further comments on at this time.</p>

Ref Natural England Comment

Applicant's Response

“Southwest UK and Channel” BDMPS regions. Since the majority of the western non-SPA colonies are found in the west of Scotland, using this figure to create a “Southwest UK and Channel” breeding season reference population leads to a vast overestimation.
 In this instance, Natural England recommends that the non-breeding season BDMPS population for GBBG for SW UK & Channel is used, which is 17,742. Using this reference population, rather than the far larger one proposed by the Applicant, would more accurately reflect the potential cumulative effects on the relevant population.
 iii. We will discuss these issues with the Applicant once we have reviewed the updated collision risk modelling report they have submitted.

Q. No	Question Topic	Question	Natural England's Response	Applicant's Response
Agenda item 10 - Underwater Noise				
Q10-1	<i>Black Seabream</i> Natural England	Set out whether there is typically variability within seasons when it comes to the time period for black seabream nesting. For example, can the nesting seasons vary in length, whether longer or shorter periods, for each year.	<p>There is some inter-annual variability in the exact timings of arrival and nesting, however the spawning season as defined in Natural England's conservation advice is March to July inclusive. Black seabream begin to arrive at the breeding sites in March, forming large, localised shoals. In Kingmere, nesting into July has been observed within data collected by the aggregate's companies in 2019, 2020, 2021 and 2022. It should be noted that data was not collected in July prior to 2018, so data before this date cannot be used to demonstrate absence at this time. The 2023 data is not yet available.</p> <p>The factors determining this variability are not well understood and may include: water temperature, light penetration, day length, moon phase, plankton composition, the co-occurrence of neighbouring nests, and storm events, many of which can vary considerably in any given year and are not readily predictable in advance.</p>	<p>Q 10-1 The Applicant thanks Natural England for this information. Following a detailed assessment undertaken on a precautionary basis, as detailed in Chapter 8: Fish and shellfish ecology, Volume 2 of the Environmental Statement (ES) [APP-049], the Applicant however maintains their position that a considers that a full piling restriction from 1 March to 31 July is disproportionate to the risk of an impact arising that could result in significant population level effects on nesting black bream. This is due to the reduced Whilst, in 2021, the black seabream spawning/nesting period was extended to include the month of July, spawning/nesting activity during July, when compared to March-June in the same year (as evidenced in a 2020 aggregates survey), during this month is considerably reduced and therefore a with much lesser impact on the population breeding success in July s anticipated than the preceding months, (as set out in Chapter 8: Fish and shellfish ecology, Volume 2 of the Environmental Statement [APP-049], with 5% of nests attended by males by 10</p>

Ref	Natural England Comment	Applicant's Response
<p>Q10-2</p>	<p>If there were behavioural impacts of piling noise on nesting black seabream, explain whether this would potentially mean Natural England advises that individual black seabream are known to return to particular sites in consecutive years, but that there is insufficient evidence to determine whether disturbance from piling noise would prevent them returning.</p>	<p>July and 0% by 30 July in a 2020 survey. This compared with 89.4% nests attended by males in June of the same year).</p> <p>Acknowledging that there that is some nesting is still potentially occurring in July (as evidenced by Natural England), the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3), the provision of which is secured in Condition 11(1)(k) of the deemed Marine Licences (dMLs) (Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] updated at Deadline 3) sets out multiple mitigation measures during the month of July; these include (in the event that piling is undertaken in July in the western part of the array) the combination of a low noise hammer technology and bubble curtains, and a sequencing approach to piling starting in locations furthest from the Marine Conservation Zone (MCZ). Based on the proposed mitigation plan, piling would also be undertaken in the eastern part of the array in July (taking into account exclusion zones).</p> <p>As set out in the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3), and secured in Condition 11(1)(k) of the deemed Marine Licences (dMLs) (Schedules 11 and 12 of the Draft Development Consent Order Revision [REP2-002] updated at Deadline 3), from March to June piling will only be undertaken in the eastern part of the offshore Array area, and subject to mitigation using the combination of a low noise hammer technology and DBBC.</p> <p>Through the application of a variety of mitigation measures, the Applicant is confident that piling operations will not hinder the Kingmere MCZ conservation objectives.</p> <p>The Applicant reiterates that a full piling exclusion from March-July inclusive would also have significant issues for the practical development of the Proposed Development.</p> <p>This is noted by the Applicant. The Applicant reiterates that as reported by Kastelin et al (2017), there is not anticipated to be a sustained response from underwater noise, rather a startle response is expected, with a full return to normal behaviour after the initial response. This temporary impact is not</p>

Ref	Natural England Comment		Applicant's Response
	they would not return to the Sussex coast area in subsequent years. Set out whether there is typically variability within seasons when it comes to the time period for black seabream nesting. For example, can the nesting seasons vary in length, whether longer or shorter periods, for each year.	In any event, disturbance could affect breeding success and therefore the population size within Kingmere MCZ, for example by bream abandoning territories prior to egg laying, or by scaring male bream off nests leaving eggs open to predation/sedimentation. The MCZ has a target in the conservation advice to recover the population size, which the prolonged disturbance from piling noise could hinder the achievement of. We advise in the absence of evidence that this impact would not occur, it has to be assumed that this longer-term deterrence is possible.	considered to have any potential to trigger a significant effect on the black bream population within the Marine Conservation Zone and nor is it even likely to have an individual effect on breeding success.
Q10-3	If piling works were not to take place in July, with a full seasonal piling restriction, explain whether this would sufficiently address concerns about noise impacts on black seabream as a result of piling noise.	Natural England advises that if a full piling exclusion from March to July inclusive were to be put in place, this would sufficiently address our concerns regarding underwater noise impacts on black seabream as a result of piling noise. Should a full piling exclusion for this period be secured our advice would be that the conservation objectives of Kingmere MCZ would not be hindered by this activity.	
Q10-4	Explain whether it is possible that there could be any piling in July, within any of the proposed array area, which would be acceptable in terms of black seabream effects.	As stated in our answer to Q10-1, there is evidence of black seabream nesting in July across multiple years of data. The seasonality in Natural England's conservation advice in relation to breeding black seabream is March to July inclusive. During this entire period the conservation objective set out in the designation order applies, namely that <i>'the population (whether temporary or otherwise) of that species [i.e. black seabream] occurring in the zone be free of the disturbance of a kind likely to significantly affect the survival of its members or their ability to aggregate, nest, or lay, fertilise or guard eggs during breeding.'</i> In terms of the potential to hinder the conservation objectives of Kingmere MCZ, it is not acceptable for piling to occur in July at any location within Rampion 2. This is primarily because there is insufficient evidence that the mitigation proposed will be capable of achieving the levels predicted in the ground conditions at each specific location, that there is not sufficient confidence in the underwater noise models to have confidence in a zoning approach, and that even if these aspects could be overcome, there is no scientifically robust way of determining a suitable species-specific noise threshold that could be considered to avoid significant disturbance. We refer you to our relevant representations for more detailed advice on this matter.	Noted, the Applicant has no further comments on this matter at this time.

Ref	Natural England Comment	Applicant's Response
Q10-5	<p>Seahorses</p> <p>If there are smaller numbers or a dispersed population of short snouted seahorses which could be affected by piling noise, explain whether this would mean such adverse effects were less severe than if there were larger population numbers or densities.</p> <p>Natural England</p>	<p>In general terms, Natural England advises that smaller numbers could still be a significant proportion of the population in question if the overall population is small, as opposed to large. Furthermore, the cryptic nature of seahorses makes monitoring, studying and gathering evidence on seahorse populations challenging, and therefore we are not aware of sufficient data that could be used to reliably determine population levels. Therefore, we would urge considerable caution around an approach that tried to determine the severity of effects on seahorses based on numbers, densities, or population size.</p> <p>As Natural England were unclear on whether this question relates to seahorses within MCZs in which they are a designated feature or wider populations outside of MCZs (or both), we offer the following notes:</p> <p>Within MCZs designated for short-snouted seahorse (<i>Hippocampus hippocampus</i>), which includes Beachy Head West MCZ, Beachy Head East MCZ, Bembridge MCZ, and Selsey Bill & the Hounds MCZ, they are protected under Marine and Coastal Access Act 2009 as a feature of the MCZ regardless of numbers, population size or density. It is worth noting these sites are the only 4 MCZ's in England with short-snouted seahorse as a designated feature.</p> <p>Both inside and outside of MCZs it is also an offence under Schedule 5 Section 9 (1) of the Wildlife and Countryside Act 1981 (as amended) to intentionally kill or injure seahorses. The onus to prove that an offence will not be committed lies with the Applicant.</p>
		<p>Q10-5. As detailed in the In Principle Sensitive Features Mitigation Plan [APP-239] (updated at Deadline 3), the Applicant has committed to the implementation of various noise abatement measures, inclusive of a piling restriction from March through to June (in the Western area), the implementation of a piling sequencing plan in July, and the use of at least one offshore piling noise mitigation technology throughout the piling campaign and further noise mitigation measures if piling is undertaken between March and July.</p> <p>The Applicant is therefore confident that with the implementation of the proposed mitigation measures, there will be no population level effects on seahorse, or hindrance to the conservation objectives of any of the Marine Conservation Zones of which seahorse are a feature from underwater noise impacts.</p>

Q. No	Question Topic	Question	Natural England's Response	Applicant's Response
Agenda item 12 - Offshore Physical Processes and Benthic Ecology				
Q12-1	<p>Offshore Gravel Beds</p> <p>Natural England</p>	<p>If some form of gravel beds were to be used as an alternative to floatation pits, explain whether there would be potential offshore environmental impacts from this method, and what could these be.</p>	<p>Natural England understand that floatation pits do not form part of the Application (see comment 19 of our relevant representations). We understand from the Applicant's response to our relevant representations (G11) that the material used will not be loose sand or gravel, and will be a solution that will be removed once this aspect of the construction works is complete. We advise that this commitment should be secured in the relevant named plans in order for our comments on this issue to be amended.</p> <p>As referenced in point 19 of our relevant representations Natural England's advice is that the commitment to use gravel bags is not sufficient in relation to mitigating damaging impacts on priority habitats, Annex I habitat</p>	<p>The Applicant has responded to Natural England's Appendix DF2 in Table 4-5 of this document.</p>

Ref Natural England Comment
Applicant's Response

Q12-2

Offshore Survey Work
Natural England

The ExA understands that the Applicant is not intending to undertake any further offshore survey works during the Examination process. Confirm whether there is sufficient detail and commitments currently submitted to cover cable installation and mitigation.

and potential habitats suitable for bream nests. We note that the Applicant has provided an environmental impact assessment in relation to gravel bags in Appendix 13 – Further Information for Action Points 45 and 46 – Physical Process and Benthic. We have provided comments on this in our Appendix DF2.

Geotechnical Data

Natural England continues to disagree with the Applicant that there is sufficient information/detail included within the Application to demonstrate with confidence that hinderance of the conservation objects/damage to the interest features of designated sites will not occur. And that mitigation measures will be either viable and/or sufficient to minimize impacts to acceptable levels. We noted that in our relevant representations (point g) that a number of commitments had been proposed to minimise impacts upon sensitive features that had been identified. These include (but are not limited to) Cable burial (including the use of paleochannels), Horizontal Directional Drilling (HDD) (the full viability and extent of which is yet to be confirmed), reducing scour protection, targeting areas of the seabed that maximise burial, adoption of specialist cable techniques to minimise the footprint of direct and indirect disturbance. However, we continue to advise that, to understand the likely effectiveness of the proposed mitigation measures, geotechnical data should be provided at the consenting stage to inform an outline Cable Burial Risk Assessment (CBRA), and outline Cable Specification and Installation Plan (CSIP) that both clearly take into account lessons learnt from Rampion 1.

We advise that it is essential that these plans are submitted into the examination to understand how likely it is that cable burial will be achieved and that the mitigation proposed will successfully mitigate impacts. If external raised cable protection is required, this could have impacts on marine processes and the surrounding designated sites (Climping Beach SSSI, Kingmere MCZ and Offshore Overfalls MCZ), as well as Habitats of Principle Importance, Annex 1 Habitats and black seabream nests.

The Applicant notes the responses provided by Natural England to the Examining Authority.

In response to the request for geotechnical survey data to be provided to the examination, the Applicant would note that it has responded in item 47 of [Deadline 1 Submission - 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 \[REP1-018\]](#) to explain why it is not possible to undertake additional offshore geotechnical surveys at the consent stage.

The Applicant has also set out why the Cable Burial Risk Assessment (CBRA) and Cable Specification and Installation Plan are also necessarily produced post-consent (pre-construction) and will be informed by the geotechnical data collected as noted above (see Applicant's response to Natural England's Relevant Representation (*inter alia* points G7 and G8 respectively) in its [Deadline 1 Submission – 8.23 Applicant's Responses to Relevant Representations \[REP1-017\]](#). The assessment of cable protection, and its potential to affect marine processes is set out in detail within section 6 of [Chapter 6: Coastal processes, Volume 2](#) of the Environmental Statement [\[APP-047\]](#), with the finding that there would be no long-term blockage of sediment transport where such protection was deployed in either the array or export cable corridor areas. On the basis, the Applicant asserts that there is no potential for significant effects on marine processes or surrounding designated sites (Climping Beach Site of Special Scientific Interest (SSSI), Kingmere Marine Conservation Zone (MCZ) and Offshore Overfalls MCZ) or on Habitats of Principal Importance, NERC reef habitats or black seabream nests.

With respect to the use of bagged (rather than loose) gravel or other material to provide for the export cable

Ref Natural England Comment
Applicant's Response

If the feasibility of cable installation via HDD under Climping Beach SSSI is not fully considered, then there is a risk this will fail and impact on the SSSI.

We understand that the Applicant's view is that geotechnical information cannot be gathered in the marine environment within the timeframe of the examination. We advise that the Applicant still needs to produce the requested plans (Cable Burial Risk Assessment (CBRA), and outline Cable Specification and Installation Plan (CSIP) (which includes consideration of HDD feasibility). In the absence of the full suite of geotechnical and geophysical data we query what project specific information, and any other relevant geotechnical data/information from the surrounding area the Applicant can provide within the timeframe to address the existing uncertainty? However, we highlight that further evidence gathering still may not be sufficient to address our concerns.

Benthic Baseline Data

As advised in our relevant representations due to limitations in the benthic characterisation data, collecting sufficient quality pre- construction data will be key to providing a robust baseline and informing the mitigation methods such as micro-siting around Priority Habitats, Annex I habitats and potential black bream nesting areas. Natural England understand that floatation pits do not form part of the Application (see comment 19 of our relevant representations). We understand from the Applicant's response to our relevant representations (G11) that the material used will not be loose sand or gravel, and will be a solution that will be removed once this aspect of the construction works is complete. We advise that this commitment should be secured in the relevant named plans in order for our comments on this issue to be amended.

As referenced in point 19 of our relevant representations Natural England's advice is that the commitment to use gravel bags is not sufficient in relation to mitigating damaging impacts on priority habitats, Annex I habitat

installation works (for the grounding of the cable lay vessel), the Applicant can confirm that the final plan for cable routing and associated use of gravel bags will be presented within the Cable Specification and Installation Plan, which will be submitted to and approved in writing by the MMO, as secured in Condition 11(1)(n) and again must also be shown in the design plan to be submitted under condition 11(1)(a) of the dMLs (Schedules 11 and 12 of the **Draft Development Consent Order [REP2-002]** (updated at Deadline 3). The Applicant would also reference its responses to [reference 4](#) of this response (above) in relation to Natural England's comments on the impact assessment of the use of such gravel bags.

Ref	Natural England Comment		Applicant's Response
Q12-3	<p><i>Migratory Insects</i></p> <p>Natural England</p>	<p>There have been representations received [RR-163, RR-239, RR-029, RR-225, RR-189, RR- 389, RR-110] relating to the adverse effects of wind turbines on migrating insects. Comment, if required, on this matter.</p>	<p>and potential habitats suitable for bream nests. We note that the Applicant has provided an environmental impact assessment in relation to gravel bags in Appendix 13 – Further Information for Action Points 45 and 46 – Physical Process and Benthic. We have provided comments on this in our Appendix DF2.</p> <p>Natural England's statutory advice remit primarily relates to the impacts of developments on protected sites, habitats and species. As we do not foresee impacts on the above receptors as a result of migratory insect fatalities, we have not raised this as a concern in our relevant representations.</p>
Q12-4	<p>Kelp Restoration</p> <p>Natural England Marine Management Organisation</p>	<p>The ExA is aware of kelp restoration projects within the Sussex Bay area [RR-156, RR-176, RR-037, RR-377, RR-110]. Comment on the adequacy of the assessment and conclusions of likely significant effects reported within the ES Chapter 9 [APP-050].</p>	<p>Natural England's relevant and written representations focused on the assessments of impacts and conclusions relating to features of designated sites, and habitats and species protected under the Wildlife and Countryside Act 1981 or the Natural Environment and Rural Communities (NERC) Act 2006, Annex I habitats, and potential black seabream nesting habitats. We advise that this question appears to be outside of Natural England's remit.</p> <p>However, we note that the kelp restoration project relates to the Sussex Inshore Fisheries and Conservation Authorities (IFCA's) Nearshore trawling Byelaw, which protects an area of the nearshore seabed off the Sussex coast from bottom-towed trawling gears. We advise that the IFCA and the Sussex Kelp Restoration Project are likely to be best placed to answer any questions the examining authority have with regards to impacts on their bylaw area and their resultant project. However, Natural England does recognise the value of the kelp restoration project in terms of increasing wider biodiversity and recommends that careful consideration is given through the adoption of appropriate mitigation measures to avoid hindering the future success of this project.</p>

Table 4-5 Natural England's Comments on 8.25.7 - Appendix 7 – Further information for Action Point 33 – Kittiwake Implementation and Monitoring Plan – [REP1-026]

Ref	Natural England Comment	Applicant's Response
2.1.51	<p>1. Summary</p> <p>The Applicant has provided further details of the proposed Kittiwake Implementation and Monitoring Plan (KIMP). The plan involves entering into an agreement with RWE Dogger Bank South (DBS) to allocate nesting sites on the pre-existing artificial nesting structure (ANS) at Gateshead to Rampion 2. We consider this to be an appropriate and proportionate measure to compensate for the small contribution of Rampion 2 to the in-combination adverse effect on the kittiwake feature of Flamborough and Filey Coast (FFC) SPA. Our main comment is that the Applicant has used the central estimate of their kittiwake impacts as the basis for calculating how many nesting spaces will be required to compensate for their impact, whereas it is our advice to all offshore wind (OWF) developers that the 95% upper confidence limit estimate should be used to calculate this.</p>	<p>The Applicant considers the central estimate to be the most appropriate to calculate compensation requirements. There are already several levels of significant precaution included within the assessment process including parameters for avoidance rates, flight speeds and nocturnal activity, which when combined lead to a highly precautionary level of impact predicted. An example of the sensitivity of these inputs to influencing the level of impact predicted when using precautionary values vs more recent evidence is demonstrated within Section 3 of Deadline 1 Submission – 8.36 Great black-backed gull assessment sensitivity [REP1-038], which found differences in assessment approach of over 85% when changing a single input value. A similar impact sensitivity study was also undertaken as part of the Hornsea Four Examination process (APEM, 2022), which found a difference of over 90% in impact values when comparing Natural England's recommended approach against latest empirical evidence to inform assessments. The recommendation of Natural England to then provide further inclusion of precaution via the use of the 95% CI will mean that the Applicant may be required to compensate for an impact level which is wholly unrealistic and does not remotely reflect the level of impact expected from the Project, when considering impacts recorded from recent post construction collision studies (Skov et al., 2018; AOWFL, 2023). Furthermore, for the most recent kittiwake derogation cases in England (Hornsea Four (Department for Energy Security and Net Zero, 2023) and Hornsea Three (BEIS, 2020)), the Secretary of State has concluded the level of compensation required based on the mean estimate rather than the upper 95% CI, which further suggests that compensation quantum should be informed by the mean estimate only, as undertaken by the Applicant.</p> <p>An updated KIMP including this information has been submitted at Deadline 3 Kittiwake Implementation and Monitoring Plan (Document reference: 8.63).</p>
2.1.52	<p>2. Detailed Comments</p> <p>Table 1 Summary of Key Issues: Document Reviewed – [REP1-026] - 8.25.7 - Appendix 7 – Further Information for Action Point 33 – Kittiwake Implementation and Monitoring Plan</p>	

Ref	Natural England Comment				Applicant's Response	
Point Ref	Location within Submitted Document			Natural England Response	Applicant's response	
	Section	Page	Para Number	Key Concern		Natural England's Advice to Resolve the Issue
1	4	8	4.1.3	The Applicant has calculated the requirements for compensation on the basis of the central impact estimate (0.72) rather than the 95% upper confidence limit (UCL) value, as NE has consistently advised OWF developers since the Hornsea 3 project.	Calculate how many of the 95% UCL of 66 predicted annual kittiwake mortalities (ES Chapter 12, Offshore and intertidal ornithology) should be apportioned to FFC SPA and use this figure as the basis for the estimated compensation quantum.	The Applicant does not consider the estimate using the upper 95% CI to be appropriate based on the evidence provided in section 5.1.51. However, the applicant will provide this approach to estimate the compensation quantum and present the calculation alongside the Applicants approach in an updated KIMP in: Kittiwake Implementation and Monitoring Plan (Document reference: 8.63) at Deadline 3. Using the 95% UCL the predicted impact would increase to 1.69 breeding adults per annum.
2	7	16	7.1.1	The Applicant is proposing to set up an Offshore Ornithology Engagement Group (OOEG) to oversee the compensatory measure.	Given the collaborative nature of the proposal, it would be preferable if the KIMP stated that a single OOEG covering all projects dependent on the tower be set up, to avoid duplication of effort.	A collaboration between the RWE projects that will utilise the Gateshead tower for kittiwake compensation will be created. This will allow a single Offshore Ornithology Engagement Group to be set-up to oversee this compensation measure.
3	7	16	7.2.1	It would be useful to have details of which existing colonies with connectivity to the DBS ANS will be monitored as part of the creation of a baseline.	Provide details on which other colonies will be monitored as part of the baseline and how these were selected.	The locations that will be monitored are the Leonardo Hotel, Saltmeadows Kittiwake Tower, Baltic Arts Centre, Tyne Bridge and Howick cliffs. This is in line with the monitoring carried out by RWE Dogger Bank South in 2023 for the Kittiwakery Tower at Gateshead. These is captured and updated in the KIMP in: Kittiwake Implementation and Monitoring Plan (Document reference: 8.63) at Deadline 3.

Table 4-6 Applicant's Response to Marine Management Organisation's Deadline 2 Submission

Ref	Deadline 2 Submission	Applicant's Response
2.6.1	On 20 September 2023, the Marine Management Organisation (the MMO) received notice under section 56 of the Planning Act 2008 (the PA 2008) that the Planning Inspectorate (PINS) had accepted an application made by E.On Climate and Renewables UK Ltd (the Applicant) for determination of a development consent order (DCO) for the construction, maintenance and operation of the proposed Rampion 2 Offshore Wind Farm (the "DCO Application") (MMO ref: DCO/2019/00005; PINS ref: ENO0117). The DCO includes a draft Deemed Marine Licence (DML).	Noted, the Applicant has no further comments on this matter at this time.
2.6.2	The Applicant seeks authorisation for the construction, operation and maintenance of the DCO Application, comprising of up to 90 wind turbine generators together with associated onshore and offshore infrastructure and all associated development. The associated development includes an offshore generating station with an electrical export capacity of in excess of 100 megawatts (MW) comprising up to 90 turbines, and array cables, in an area approximately 196 square kilometres (km ²), located approximately 13 kilometres (km) south of the Sussex coast located to the west of the existing Rampion Offshore Windfarm.	Noted, the Applicant has no further comments on this matter at this time.
2.6.3	The proposed development will comprise up to three offshore substations. Cables between the wind turbine generators (WTG) between the WTGs and the offshore substations, and between the offshore substations themselves and the landfall location at Climping, West Sussex. An underground cable connection between the landfall and a satellite substation known as Oakendene, and then onwards to connect into the existing National Grid substation at Bolney, together with an extension to the existing substation.	Noted, the Applicant has no further comments on this matter at this time.
2.6.4	This document comprises of the MMO's submission for Deadline 2. This written representation is submitted without prejudice to any future representation the MMO may make about the DCO Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.	Noted, the Applicant has no further comments on this matter at this time.
1. MMO response to MMO Relevant Representation, (RR) Applicants Comments		
2.6.5	<p>Marine Plans</p> <p>1.1. MMO 2.1.1: The MMO acknowledges the commitment of the Applicant to prepare a single document showing adherence to relevant marine plans and policies to be submitted at Deadline 2. The MMO will review this document at such time as it becomes available.</p>	The Applicant invites the Marine Management Organisation and its advisors to read Deadline 2 Submission – 8.50 Marine Plan and Policies Statement [REP2-027] submitted at Deadline 2.

Ref	Deadline 2 Submission	Applicant's Response
2.6.6	<p>Fishing community</p> <p>1.2.1 MMO 2.2: The MMO understand that the complaint relates to Rampion 1, however the MMO does not agree that it is irrelevant to Rampion 2. Although both developments are distinct, the comments should still be of relevance to the Applicant, and where possible Rampion 2 should see them as an opportunity for lessons learned. The MMO is supportive of the ongoing discussions between Rampion 1 and Rampion 2.</p>	<p>The Applicant agrees that the comments regarding Rampion 1 are relevant and an opportunity for lessons learned. The Applicant response in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] regarding the Rampion 1 complaint just intended to clarify that the Applicant cannot intervene in the resolution of the issue as suggested in Marine Management Organisation's (MMO's) relevant representations 2.2 <i>"The MMO views the complaint as a major issue, and resolution of the below is strongly recommended during examination, MMO has also advised the fisherman to register as an interested party and submit a representation."</i> The Applicant welcomes the MMO's support on the continuous engagement between the two projects and would welcome the affected fisherman engaging with the Examination process.</p>
2.6.7	<p>Unexploded Ordnance (UXO)</p> <p>1.3.1 MMO 3.2.1: The MMO thanks the Applicant for providing clarity on why the investigation and detonation of UXOs are not part of any of the Works order or set out within the activities of Schedule 11 & 12. The MMO understands that the Applicant intends to seek additional licences separate from the DCO for the clearance of UXOs when/if required. The MMO acknowledges the Applicant's creation of the Draft Unexploded Ordnance Clearance Marine Mammal Mitigation Protocol (APP-237) and that the Applicant is confident that appropriate mitigation can be secured.</p>	<p>The Applicant welcomes the Marine Management Organisation's support on the issue of Unexploded Ordnance marine licences.</p>
2.6.8	<p>Article 5 Benefit of the order</p> <p>1.4.1 MMO 3.3: The MMO acknowledges that the Applicant notes MMO concerns, but states there is existing DCO and legislative precedent for the current wording. The MMO will provide a full response to this after reviewing the Applicant's next tracked DCO submission.</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p>
2.6.9	<p>Schedule 11 & 12 DMLs</p> <p>1.5.1 MMO 3.4.1: The MMO acknowledges the Applicant's consideration of MMO concerns regarding determination dates in the Deemed Marine Licence (DML). The MMO's position remains that if timescales are included within the DML, determination should be six months as opposed to four months, to allow sufficient time for consultation, including the appropriate consultation of complex issues. The MMO acknowledges the Applicant's willingness to work with the MMO and Natural England to identify any approvals which require longer determination periods. The MMO hopes this issue can be resolved.</p>	<p>The Applicant has accepted the Marine Management Organisation (MMO's) request and has amended the Draft Development Consent Order [REP2-002] (updated at Deadline 3) to provide for a 6-month period for review of some of the documents requested by the MMO submitted under condition 11 of each of Schedules 11 and 12. These are:</p> <ul style="list-style-type: none"> • Outline Project Environmental Management Plan [APP-233]; • In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3); and • Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3).
2.6.10	<p>Additional conditions</p> <p>1.6.1 MMO 3.5.2: The MMO welcomes the inclusion of an additional condition to the draft DCO to ensure compliance with UK requirements on noise recording. The MMO disagrees with the exclusion of section (b) of the condition. Despite the Applicant's claim that 'pile driving is unlikely to be carried out continuously</p>	<p>The Applicant maintains that the additional limb (b) of this condition is unnecessary for the authorised project. As confirmed previously, pile driving is unlikely to be continuous and may be further constrained by compliance with any temporal and spatial restrictions in the Sensitive Features Mitigation Plan (to be secured by condition 11(1)(k) of each of Schedules 11 and 12 of the draft DCO (updated at Deadline 3).</p>

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	throughout the construction period'. Any such breaks in piling activity do not preclude the Applicant from their requirement to comply with UK requirements on noise recording. The MMO would like to see condition wording included in full as written.	The position adopted is consistent with recently made Orders including the East Anglia One North Offshore Wind Farm Order 2022 and East Anglia Two Offshore Wind Farm Order 2022. The requested condition is not included in the recently made Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024. As such the Applicant does not consider that the condition should be amended.
2.6.11	1.6.2 MMO 3.5.3: The MMO acknowledges the commitment of the Applicant to reference the Outline Offshore Operations and Maintenance Plan (APP-238; OOMP) in the draft DCO. The MMO disagrees with the Applicant's consideration that the provision of an Operations and Maintenance plan makes conditions pertaining to the submission of regular maintenance reports "unnecessary". The provision of an Operations and Maintenance plan should not preclude the Applicant from the need to submit regular maintenance reports to the MMO for review. The MMO's position remains that this condition is necessary and should be to both Schedule 11 and 12.	The Applicant notes the Marine Management Organisation's position but considers that the request for 'regular maintenance reports' is not justified, particularly as the project is not located in a sensitive area requiring additional monitoring over and above that already identified in the In Principle Monitoring Plan. Further the Applicant notes that condition 3 of each of Schedules 11 and 12 requires that all operation and maintenance activities must be carried out in accordance with the submitted operations and maintenance plan, and the effects of which have been assessed in the Environmental Statement.
2.6.12	1.6.3 MMO 3.5.4: The MMO acknowledges the Applicant's response, but still considers it necessary for this condition (stages of construction) to be included to both Schedule 11 and 12. Additionally, the MMO continues to request that seasonal restrictions for any activities are clearly conditioned as standalone conditions, and not within additional plans.	The Applicant considers that it is appropriate for the temporal and spatial restrictions to be detailed in the Sensitive Features Mitigation Plan to be submitted pursuant to condition 11(1)(k) of each of Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3), and must accord with the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3), as the exact terms of restrictions will depend on the detailed design of the project post consent. Compliance with the terms of the plan will be enforceable by the Marine Management Organisation in accordance with condition 12 of each of the deemed marine licences in those schedules. Further, condition 11(1)(b) of each of Schedule 11 and 12 already includes for a construction programme to be submitted and approved prior the commencement of the authorised scheme.
2.6.13	<p>Schedule 15 – Documents to be certified.</p> <p>1.7.1 MMO 3.6.1: Documents to be certified. The MMO does not agree with the Applicant's claim that splitting the documents in Schedule 15 is not necessary. The MMO restates its previous point that the documents in this schedule should be split into three parts to ensure clarity across all areas.</p>	An update to Schedule 16 is included in the Draft Development Consent Order [REP2-002] (updated at Deadline 3) which splits the documents submitted for certification between Environmental Statement documents and other documents
2.6.14	<p>MMO comments on draft DCO/DML</p> <p><u>DCO - Supplementary powers: Public rights of Navigation.</u></p> <p>1.8.1 The MMO thanks the Applicant for clarifying the inclusion of Article 20. The MMO may provide further comments on this in future responses after reviewing a new DCO draft.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.15	<p><u>Detailed offshore design parameters</u></p> <p>1.8.2 The MMO thanks the Applicant for clarifying that additional cable crossings would only arise if additional cable projects were brought forward. The MMO</p>	The Applicant welcomes the Marine Management Organisation's support on the additional cable crossings.

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	acknowledges that the Applicant does not believe additional cable crossings beyond the four sought within the DCO are reasonably foreseeable. The MMO thanks the Applicant for confirming that any associated cable protection would be required in order to be within cable protection parameters.	
2.6.16	<p><u>Schedule 11</u></p> <p>1.8.3 The MMO thanks the Applicant for addressing grammatical issues identified in Schedule 11. Further comments on the suitability of referencing the draft UXO mitigation plan and draft pilling mitigation plan will be given once these documents have been reviewed in their entirety, following consultation.</p>	The Applicant welcomes the Marine Management Organisation's support on the amendments to Schedule 11.
2.6.17	<p>Conditions</p> <p>1.9.1 The MMO acknowledges the amendment to Condition 2(6) in line with request from Natural England.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.18	<p><u>Maintenance of the authorised project</u></p> <p>1.9.2 The MMO thanks the Applicant for acknowledging that Condition 3(1) should include reference to the Outline Operations and Maintenance Plan and their commitment to addressing this at the next revision to the draft DCO at Deadline 3.</p>	The Applicant welcomes the Marine Management Organisation's support on the amendments to Condition 3(1).
2.6.19	1.9.3 The MMO acknowledges the Applicant's comments regarding Condition 3(5) and will provide justification after the MMO has reviewed the next revision to the draft DCO.	Noted, the Applicant has no further comments on this matter at this time.
2.6.20	<p><u>Notifications and Inspections</u></p> <p>1.9.4 The MMO acknowledges the Applicant's comments, and the MMO will provide more on this after reviewing the next revision of the Draft DCO.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.21	1.9.5 The MMO acknowledges that the wording of Condition 6(1) has been amended in accordance with conditions provided by Trinity House. The MMO has no further comments at this time.	Noted, the Applicant has no further comments on this matter at this time.
2.6.22	1.9.6 The MMO acknowledges the Applicant's explanation of Condition 11(1)(o) and thanks the Applicant for the clarification.	Noted, the Applicant has no further comments on this matter at this time.
2.6.23	1.9.7 The MMO notes that the Applicant has not amended the wording in Condition 9(1) as requested by the MMO. The MMO will provide further comments on this after reviewing the next draft DCO.	Noted, the Applicant has no further comments on this matter at this time.
2.6.24	1.9.8 The MMO understands that Condition 9(8) has been amended to remove reference to '5 days' and has not been changed to reference '24 hours', with the Applicant stating that this is in line with Hornsea Four Offshore Wind Farm and East Anglia One North and Two. The MMO will provide further comments on this following its review of the next draft DCO.	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
2.6.25	1.9.9 The MMO thanks the Applicant for adopting the suggested amendments to Condition 15 and addressing this in the draft DCO. The MMO may provide more comments on the retention of information regarding vessels within the condition in a later response.	Noted, the Applicant has no further comments on this matter at this time.
2.6.26	1.9.10 The MMO is disappointed that amendments to Condition 17 on construction monitoring have not been adopted. The MMO disagrees with the proposed monitoring set out in the offshore in-principal monitoring plan that monitoring should only be conducted for the first four piles. The MMO also disagrees with the Applicant's claim that no further monitoring other than that which is set out in the in-principal monitoring plan is considered necessary. The MMO would like to see the suggested conditions adopted in full.	It is proposed that monitoring should be undertaken in respect of the first four piles as provided in the in the Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3) submitted as part of the DCO Application documents, and with which the construction phase monitoring plan is to accord (pursuant to conditions 11(1)(j) and 17 of Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] updated at Deadline 3). No further monitoring is considered necessary based on the assessment of predicted effects.
2.6.27	<p data-bbox="477 726 744 758">Coastal Processes</p> <p data-bbox="477 793 1584 930">1.10.1 MMO 4.2.1 and MMO 4.2.12: With regard to the Applicant's responses to MMO points 4.2.1 and 4.2.12, the MMO has not been able to consult with technical advisors, and therefore have no comments to make at this time. The MMO will provide comments on these sections in our next response.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.28	1.10.2 MMO 4.2.5: In response to issues raised over the assessment of potential impacts from "ground-out" area the MMO welcomes the Applicant's production of Appendix 13 - Further Information for Action Point 45 and 46 (document reference 8.25.13). This document will be reviewed by the MMO and comments provided at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.29	1.10.3 MMO 4.2.13: The MMO is disappointed that requests for the inclusion of maps to display the impacts to tidal currents due to the structures has appear to have been ignored and that no modelling or new maps of potential impacts have been created.	<p data-bbox="1620 1161 2792 1329">A more detailed assessment of change to tidal conditions due to the proposed scheme layouts is provided in Section 4 of Appendix 6.3: Coastal processes technical report Impact assessment, Volume 4 of Environmental Statement [APP-131]. This information is summarised in paragraph 6.10.1 onwards of Chapter 6: Coastal processes, Volume 2 of Environmental Statement [APP-047].</p> <p data-bbox="1620 1367 2792 1604">The assessment (based on a review of modelling studies for other wind farms, including Rampion 1) concludes that analogous offshore wind farms consistently have no measurable array scale effect (<a few cm/s or <1 degree) on tidal current speed or direction. Narrow wake features (with relatively lower mean current speed and proportionally increased turbulence intensity) are likely to be present behind individual foundations, but the distance for recovery to near ambient conditions is in the order of tens to a few hundreds of metres and the wakes are unlikely to overlap.</p> <p data-bbox="1620 1642 2792 1879">Any mapped illustration(s) of such very low magnitude effects would only represent a small number of specific tidal conditions for one potential wind turbine generator layout, and would need to be arbitrarily scaled to make the very small (not meaningful) effect visible in comparison to the normally present tidal currents. Any location specific information about the presence or absence or coincidence of effects from a single map would not represent the highest possible magnitude of all possible permutations of design, which is provided instead by the descriptive (written) basis for this assessment.</p>

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2.6.30	1.10.4 MMO 4.2.14: The MMO is disappointed that the request to provide maps to display changes in sediment transport has not been actioned, and that no modelling or maps of potential impacts have been created.	The Applicant considers that the assessment and conclusion is robust and clear in the form of the statements made. As the determined effect is negligible in magnitude and no new modelling has been undertaken to define a specific pattern to plot, no new map of potential impact has been created.
2.6.31	<p data-bbox="477 863 715 894">Benthic Ecology</p> <p data-bbox="477 936 1584 1066">1.11.1 With regard to the Applicant's responses to MMO points 4.3.3, 4.3.4 - 4.3.5, and 4.3.9, the MMO has not been able to consult with technical advisors, and therefore have no comments to make at this time. The MMO will provide comments on these sections in our next response.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.32	<p data-bbox="477 1098 991 1129">Dredge, Disposal and Chemical Use</p> <p data-bbox="477 1171 1584 1302">1.11.2 MMO 4.4.4: The MMO welcomes the Applicant's Deadline 1 submission of the Benthic - Subtidal benthic characterisation survey report appendices (Document Reference 8.34). The MMO will review this document and provide comments at Deadline 3.</p>	The Applicant welcomes the Marine Management Organisation's support on the submission of the benthic characterisation survey report.
2.6.33	1.11.3 MMO 4.4.5: The MMO acknowledges the corrections made to OSPAR BAC. With regard to the Applicant's responses to MMO points 4.4.8- 4.4.9, 4.4.11, 4.4.16- 4.4.23, 4.4.26- 4.4.27, the MMO has not been able to consult with technical advisors, and therefore have no comments to make at this time. The MMO will provide comments at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.34	1.11.4 MMO 4.4.13: The MMO welcomes the Applicant's commitment that they will engage with the MMO to establish whether a condition is required within the DML relating to the disposal of chalk arising from the export cable area to the array area.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.35	1.11.5 MMO 4.4.15: The MMO welcomes the Applicant's commitment to providing details of the type of cable protection material proposed to be deployed within the Outline Scour Protection and Cable Protection Plan (APP-234). The final Plan will be submitted to and approved in writing by the MMO as secured in condition 11(1)(i) of the DMLs.	The Applicant welcomes the Marine Management Organisation's support on this matter and updated Outline Scour Protection and Cable Protection [APP-234] (updated at Deadline 3).

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2.6.36	1.11.6 MMO 4.4.26: The MMO thanks the Applicant for providing confirmation that all organic matter, hydrocarbon and metals analysis was undertaken by SOCOTEC UK Limited.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.37	<p>Fisheries and Fish Ecology</p> <p>1.12.1 MMO 4.6.6: The MMO thanks the Applicant for acknowledging the inconsistencies in maximum piling duration and amending these in the Errata submitted to the Planning Inspectorate at the procedural deadline of 16th January 2024.</p>	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.38	1.12.2 MMO 4.6.15: The MMO thanks the Applicant for acknowledging the inconsistencies in Figures 8.9 and 8.10 of Chapter 8: Fish and Shellfish – Figures, Volume 3 (APP-081), and for providing revised figures as recommended by the MMO in Chapter 8: Fish and Shellfish, Volume 3 of the ES – Figures (REP1-007), submitted at Deadline 1.	The Applicant welcomes the Marine Management Organisation's support on the submission of the updated figures.
2.6.39	1.12.3 MMO 4.6.16: The MMO thanks the Applicant for providing clarity on how the conclusions of the Applicant's herring habitat suitability assessment were reached. The MMO will provide a more detailed response at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.40	1.12.4 MMO 4.6. 20: The MMO welcomes the Applicant's acknowledgment of the limitations of the aggregates monitoring data and the submission at Deadline 1 of the In Principle Sensitive Features Mitigation Plan [(APP-239). The MMO is in the process of reviewing this document along with its scientific advisors and will provide further comments at Deadline 3.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.41	1.12.5 MMO 4.6.22: The MMO maintains the position that the use of a threshold of 141 decibel (dB) re 1 micropascal (μPa) Sound Exposure Level, single strike (SELss) as defined by Kastelein et al., (2017) is not an appropriate or conservative threshold for adult black Sea Bream. The MMO welcomes the Applicant's commitment to continued engagement with the MMO and Natural England to seek resolution in respect of this matter, and the MMO hopes that this can be resolved during examination.	<p>The Applicant would like to request further evidence from the Marine Management Organisation as to their position of the inadequacy of the proposed threshold. In particular, it would be useful understand how peer reviewed literature supports the application of the 135dB threshold (as based on Hawkins <i>et al.</i>, (2014)) to inform impact assessments, as opposed to the 141dB threshold (as defined by Kastelein et al., (2017)).</p> <p>The Applicant notes that Hawkins et al (2014) recommend that the values from the study are not used to inform impact assessments.</p>
2.6.42	1.12.6 MMO 4.6.27: The MMO acknowledges that the Applicant has undertaken noise modelling of both mitigated and unmitigated piling scenarios, using the precautionary 135 dB to define the potential range of effect on spawning. The MMO response to these modelling outputs (PEPD – 023) are included within this response (Section 7).	Please refer to the Applicant's responses in references 2.6.159 to 2.6.180 below.
2.6.43	1.12.7 MMO 4.6.36: The MMO welcomes the Applicant's acknowledgment of serious concerns with the level of impact that piling within the Rampion Array will have on spawning herring and the submission at Deadline 1 of the In Principle Sensitive Features Mitigation Plan (APP-239). The MMO is in the process of reviewing this document along with its scientific advisors and will provide further comments at Deadline 3.	Noted, the Applicant will await further comments on this matter from the Marine Management Organisation at Deadline 3.

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2.6.44	1.12.8 MMO 4.6.37: The MMO welcomes the Applicant's acknowledgment of concerns over the sensitivity and levels of risk presented to Black Sea Bream from UWN and the submission at Deadline 1 of the In Principle Sensitive Features Mitigation Plan (APP-239). The MMO is in the process of reviewing this document along with its scientific advisors and will provide further comments at Deadline 3.	Noted, the Applicant will await further comments on this matter from the Marine Management Organisation at Deadline 3.
2.6.45	1.12.9 The MMO acknowledges the Applicant's concerns (MMO 4.6.58) that a full piling exclusion from March-July inclusive would have significant issues for the practical development of the Proposed Development. The MMO is still of the view that seasonal restrictions in the month of July are required. The MMO will review the mitigation proposed in the In Principle Sensitive Features Mitigation Plan (APP-239) along with its scientific advisors and will provide further comments at Deadline 3.	<p>The Applicant maintains that a seasonal restriction for the extended spawning season is unproportional to the risk of an impact to the seabream feature of the Marine Conservation Zone (MCZ); as noted previously, at the proposed 141dB SELss threshold, a temporary impact is considered likely to occur, with full return to normal behaviour after the initial response. Therefore, it is not considered that there is any risk of an effect on the conservation objectives of the MCZ where this threshold is met and any further seasonal restriction is unnecessary.</p> <p>Furthermore, as detailed in the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3), the Applicant has committed to the implementation of various noise abatement measures, inclusive of a piling restriction from March through to June, the implementation of a piling sequencing plan in July, and the use of at least one offshore piling noise mitigation technology from August through to February.</p>
2.6.46	<p>Under Water Noise</p> <p>1.13.1 MMO 4.7.4: The MMO acknowledges that the Applicant will submit a European Protected Species (EPS) licence for consultation with the MMO, NE and other relevant Statutory Nature Conservation Bodies (SNCBs)</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.47	<p><u>Appendix 11.3 Underwater noise assessment technical report (table)</u></p> <p>1.13.2 Analysis of environmental effects (2.2): The MMO understands that the Applicant is using a flee receptor approach for fish receptors as long as species are not spatially restricted, however the MMO are not aware of any empirical evidence to support this.</p>	The Applicant has modelled fish as both a fleeing and stationary receptor, on the basis that, whilst there is limited data to support the continual fleeing of fish (due to a lack of studies into this, rather than studies existing which directly refute this), evidence to date, including from Hawkins et al (2014) demonstrate that fish do not remain stationary in response to varying noise stimuli. As such, the range of potential effect between the fleeing and stationary models are presented and used to inform the assessment as the true impact range is expected to be within this range, rather than at either extreme.
2.6.48	1.13.3 Modelling confidence (3.1): The MMO welcomes the Applicant's offer to include details of hammer energies, SELs, and the intention for greater transparency in modelling parameters to be taken on board for future report revisions.	Noted, the Applicant has no further comments on this matter at this time.
2.6.49	1.13.4 Modelling parameters (3.2): The MMO acknowledges that the Applicant has amended the worst-case monopile (changing from 12m to 13.5m)	Noted, the Applicant has no further comments on this matter at this time.
2.6.50	<p><u>Other comments</u></p> <p>1.14.1 MMO 4.7.10: The MMO acknowledges that the Applicant feels the sensitivity score for cetaceans is appropriate in the ES report. The MMO still recommend that cetaceans should be assessed as having a high sensitivity to PTS until the Applicant is able to demonstrate clearly that PTS would have a medium risk.</p>	<p>The Applicant disagrees with the Marine Management Organisation. The evidence available on marine mammal sensitivity to permanent threshold shift (PTS) does not align with the definition for High sensitivity (which states that vital rates are highly likely to be significantly affected). The Applicant has provided further evidence to support this here:</p> <p>Booth & Heinis (2018) provides a summary of the most complete assessment of the evidence base on the topic of how PTS affects vital rates in marine mammals. This</p>

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		<p>process involved convening 7 world leading experts on marine mammal hearing and noise, a review of the available evidence collected to date (which has not markedly changed since 2018) and their best critical judgments given the evidence base. The experts worked together to collate and discuss the current state of knowledge of threshold shifts in response to low frequency broadband sound sources (later focusing on species-specific judgments as part of the elicitation process). The experts agreed that <i>“it was important to realise that reduced hearing ability does not necessarily mean a less fit animal (i.e. an animal of lower fitness).”</i> Following a review and discussion of the current literature, experts determined: <i>“Following exposure to low frequency broadband pulsed noise, TTS was typically observed 1.5 octaves (see Appendix 1 - Glossary) higher than the centre frequency of the exposure sound for seals and porpoise (Kastelein et al. 2012a, Kastelein et al. 2012b, Kastelein et al. 2013a, Finneran 2015). For piling noise and airgun pulses, most energy is between ~30 Hz- 500 Hz, with a peak usually between 100 – 300 Hz and energy extending above 2 kHz (e.g. Kastelein et al. 2015a, Kastelein et al. 2016)”</i>. Experts considered that if PTS were to occur, this would occur as a notch in hearing loss in a narrow frequency band (occurring somewhere between 2-10 kHz). They stressed this was not a loss of hearing across this entire band.</p> <p>Furthermore, experts agreed (following an <i>ad hoc</i> analysis in the workshop – fully described in Appendix 3 of that report) it was unlikely that seals or bottlenose dolphin would experience more than 6 dB of PTS in the 2-10 kHz frequency band following exposure to low frequency broadband pulsed (LFBP) noise due to low growth rates (under low duty cycle conditions). For porpoises, the worst case was estimated be a 24 dB PTS (and 18 dB was also elicited).</p> <p>Overall, experts provided best estimates of the effect of PTS on vital rates of typically less than 0.5% reduction – which is significantly smaller than the natural year-to-year variation in vital rates expected to be caused by typical environmental conditions (estimated to be 25-30% (Harwood et al 2014)).</p> <p>Booth & Heinis (2018) also summarised the mechanisms experts considered as to whether PTS could significantly affect vital rates: <i>“In considering how any PTS could affect vital rates (i.e. probability of survival, probability of fertility), experts discussed the mechanisms by which this could occur. In general, experts noted that where communication has a significant social or reproductive function, that this might be a means by which survival and/or reproduction are affected. Experts noted however that PTS would likely occur over a small frequency range and that much of the energy of communication signals either fell outside the likely range affected by PTS or that the loss of part of the signal would likely not affect detection of the communication signals.”</i></p> <p>Given the current understanding of how PTS from piling is expected to manifest in the mammalian ear – and the mechanisms that could lead to an effect on vital rates (sensu Booth & Heinis, 2018)- the Applicant considers that it is highly unlikely that vital rates would be altered in a biologically meaningful way as a result of PTS from piling. Therefore, the Applicant maintains the sensitivity of cetaceans to PTS from piling aligns with the definition for Low sensitivity, where vital rates may be affected but not at a biologically significant level.</p>

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2.6.51	1.14.2 MMO 4.7.20: The MMO acknowledges that the Applicant has requested empirical data from the manufacturers (IHK Menck hammers) and the MMO hopes to see this data in future Applicant submissions.	The Applicant is continuing to engage with suppliers of noise abatement systems and will submit additional information if it is made available.
2.6.52	1.14.3 The MMO welcomes the clarifications provided by the Applicant and corrections of errors relating to points raised by the MMO in the UWN section of its RR.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.53	<p>Outline Project Environmental Management Plan (OPEMP)</p> <p>1.15.1 The MMO understands that there are recent DCOs that have review periods of four month. The MMO welcomes future discussion with the Applicant to work towards determining if the OPEMP can have a review period of six months opposed to four</p>	The Applicant has accepted the Marine Management Organisation's request for a review period of 6 months for the PEMP and this has been included in the Draft Development Consent Order [REP2-002] (updated at Deadline 3).
2.6.54	1.15.2 The MMO is pleased to see that commitments to reduce the release of plastics into the marine environment have been added within the commitments register. The MMO will review the next iteration of the Outline Scour Protection and Cable Protection Plan accordingly.	<p>The Applicant welcomes the Marine Management Organisation's support on this matter.</p> <p>The Applicant has submitted an updated Outline Scour Protection and Cable Protection Plan [APP-234] at Deadline 3.</p>
2.6.55	1.15.3 The MMO welcomes the clarifications provided by the Applicant and corrections of errors relating to points raised by the MMO in the Outline Project Environmental Management Plan of its RR.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.56	<p>Outline Offshore Operations and Maintenance Plan (OOOMP)</p> <p>1.16.1 MMO 5.6.1: The MMO understand that there are recent DCOs that have review periods of four months. The MMO welcomes future discussion with the Applicant to work towards determining if the OOOMP can have a review period of six months opposed to four.</p>	Please refer to the Applicant's response in reference 2.6.9 above. The Applicant does not consider it appropriate to amend the provision for submission of the Operations and Maintenance Plan which is secured under condition 3 of each of Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).
2.6.57	1.16.2 MMO 5.6.3: The MMO thanks the Applicant for clarifying what 'New Cable Protection' means, but requests that this is made clear within the Outline Offshore Operations and Maintenance Plan also.	<p>The Applicant welcomes the Marine Management Organisation's support on this matter.</p> <p>The Applicant has submitted an updated Outline Offshore Operations and Maintenance Plan [APP-238] at Deadline 3.</p>
2.6.58	1.16.3 MMO 5.6.4: The MMO thanks the Applicant for expanding on 'Additional Scour protection around foundations' and request that this explanation also be included within the Outline Offshore Operations and Maintenance Plan	<p>The Applicant welcomes the Marine Management Organisation's support on this matter.</p> <p>The Applicant has submitted an updated Outline Offshore Operations and Maintenance Plan [APP-238] at Deadline 3.</p>
2.6.59	1.16.4 The MMO welcomes the clarifications provided by the Applicant and corrections of errors relating to points raised by the MMO in the Outline Offshore Operations and Maintenance Plan of its RR.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.60	<p>In Principle Sensitive Features Mitigation Plan</p> <p>1.17.1 MMO 5.7.9: The MMO acknowledges that the Applicant's responses regarding noise abatement, and notes that an agreed behavioural threshold for</p>	A meeting with the Marine Management Organisation (MMO) was held on 19 April 2024, the Applicant discussed the behavioural threshold for Black Sea Bream and informed the MMO that additional information would be submitted to the Examination in due course.

Ref	Deadline 2 Submission	Applicant's Response
	Black Sea Bream is yet to be agreed by all parties. The MMO continues to collaborate with the Applicant on this point and there is a meeting due to take place on 25th March 2024 to discuss this further.	
2.6.61	1.17.2 MMO 5.7.1: The MMO acknowledges that the Applicant is confident with the suitability of their underwater noise assessment, but the MMO still recommends that a conservative approach to include noise abatement measures across the entire site rather than zoning should be adopted.	The Applicant has committed to the use of at least one offshore piling noise mitigation technology throughout the piling campaign (commitment C-265) to deliver underwater noise attenuation to reduce predicted impacts to sensitive receptors at relevant Marine Conservation Zone (MCZ) sites and reduce the risk of significant residual effects on the designated features of these sites.
2.6.62	1.17.3 The MMO acknowledges that there are several points relating to Black Seabream and UWN that require further discussion. As mentioned above, a meeting has been planned to address these points on 25th March 2024.	A meeting with the Marine Management Organisation (MMO) was held on 19 April 2024, the Applicant discussed several points with the MMO including potential mitigation options for herring, and herring and provide clarification on several points regarding the Under Water Noise (UWN) modelling and informed the MMO that additional information would be submitted to the Examination in due course. The Applicant welcomes the MMO's support on this matter.
2.6.63	<p>Offshore in Principle Monitoring Plan</p> <p>1.18.1 MMO 5.8.2: The MMO acknowledges that there are recent DCOs that have review periods of four months. However, the MMO remain of the belief that these deadlines should be six months as opposed to the stated four months, in order to allow appropriate time for consultation. The MMO does not consider this issue to be fully resolved but is hopeful that ongoing discussions with the Applicant during Examination will lead to resolution.</p>	The Applicant has accepted the MMO's request for a review period of 6 months for the Offshore In Principle Monitoring Plan [APP-240] (updated at Deadline 3) and this has been included in the Draft Development Consent Order [REP2-002] (updated at Deadline 3).
2.6.64	1.18.2 MMO 5.8.3: The MMO acknowledges that the Applicant will endeavour to validate the predictions made within Chapter 11. The MMO continues to seek clarification regarding the worst-case scenario piles and requests that this will be updated when the piling programme and specific conditions of the ground are determined.	The Applicant will endeavour to validate the predictions made within Chapter 11: Marine mammals, Volume 2 of the Environmental Statement [REP1-004] . However, it is possible that the worst-case scenario applied in the assessment is not replicated in practice. The Applicant acknowledges the Marine Management Organisation's recommendation regarding the first four piles that are monitored being the worst-case scenario piles and will provide an update post-consent when the piling programme and specific ground conditions within the array area are known (as secured by Condition 11(1)(j) of the deemed Marine Licences (dMLs) within Schedules 11 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) for the Offshore In Principle Monitoring Plan [APP-240] updated at Deadline 3).
2.6.65	<p>Habitats Regulations Assessment (Without Prejudice) Derogation Case</p> <p>1.19.1 The MMO acknowledges that the Applicant has included a draft condition within PEPD 00017. The MMO will include comments on this in our next deadline response.</p>	Noted, the Applicant has no further comments on this matter at this time.
	2. MMO response to Interested Parties Written Responses	
2.6.66	Sussex Wildlife Trust	The Applicant has responded to this comment in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-3, Ref 1.1 [REP2-030] .

Ref	Deadline 2 Submission	Applicant's Response
	2.1.1 The MMO notes that Sussex Wildlife Trust (SWT) still has concerns regarding the landfall location, and that SWT strongly support Natural England's (NE) proposed commitment (C-217) to avoid drilling under the SSSI during winter periods.	
2.6.67	2.1.2 The MMO notes several concerns relating to Coastal Process (ES Chapter 6) including disposal locations; trenching through chalk; sensitivities at Climping Beach and the location/use of gravel bags during construction. The MMO have commented on these topics in our Relevant Representation and Written Responses, and therefore will keep a watching brief on the SWT's position regarding Coastal Processes.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-3, Ref 1.2 to 1.6 [REP2-030].
2.6.68	2.1.3 The MMO notes several concerns relating to Fish and Shellfish Ecology (ES Chapter 8) including offshore piling mitigation technologies; piling and the use of European Bass as a proxy for Black Sea Bream behaviour. The MMO have commented extensively on these topics in our Relevant Representation and Written Responses, and therefore will keep a watching brief on the SWT's position regarding Fish and Shellfish Ecology and hope to reach a resolution during the examination process.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-3, Ref 1.7 to 1.9 [REP2-030].
2.6.69	2.1.4 The MMO notes several concerns relating to Benthic, Subtidal and Intertidal (ES Chapter 9) including but not limited to, Worthing Lumps Local Wildlife Site; Sabellaria spinulosa; MarESA assessment for benthic subtidal habitats; Marine Invasive and Non-Native Species; Predictive seabed mapping and statutory consultation feedback. The MMO have commented on Benthic Processes in our Relevant Representation and Written Responses, and therefore will keep a watching brief on the SWT's position regarding Benthic, Subtidal and Intertidal features, and hope a resolution is reached during the examination process.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-3, Ref 1.10 to 1.25 [REP2-030].
2.6.70	<p>Inshore Fisheries and Conservation Authority (IFCA)</p> <p>2.2.1 The MMO understands that the proposed array falls outside of but closely borders the Sussex IFCA district, and therefore the construction and maintenance phases will affect Sussex IFCA fisheries and habitats.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.71	2.2.2 The MMO notes that IFCA have requested that all Rampion 1 and Rampion 2 survey data should be made publicly available, which the MMO supports.	The Applicant has responded to this comment in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-2, Ref 1.6 [REP2-030].
2.6.72	2.2.3 The MMO notes specific concerns relating to Chapter 8, Fish and Shellfish Ecology. IFCA have serious concerns about the likelihood of significant impacts to Black Sea Bream, noting that IFCA welcome clarity on how the Applicant will be held accountable on any commitments made at this stage in the process. The MMO notes that IFCA support Natural England's advice to Rampion on this matter.	The Applicant has responded to this comment in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-2, Ref 1.10 [REP2-030].
2.6.73	2.2.4 The MMO notes that IFCA have concerns relating to Herring (under water noise) and Seahorses (conclusions in the ES). The MMO share concerns relating to both the impacts of underwater noise to sensitive herring, and that the current conclusions in the ES regarding seahorses is not cautious enough, and that a more	The Applicant has responded to these comments in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-2, Ref 1.13 and 1.14 [REP2-030].

Ref	Deadline 2 Submission	Applicant's Response
	cautious approach should be adopted to control the risk to this highly sensitive species.	
2.6.74	2.2.5 The MMO notes that IFCA have additional concerns relating to Chapters 9 and 10 of the ES, and the MMO will keep a watching brief on these issues.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-2, Ref 1.15 and 1.22 [REP2-030].
2.6.75	<p>Historic England</p> <p>2.3.1 The MMO notes that Historic England (HE) have several concerns not limited to, but including the following topics;</p> <ul style="list-style-type: none"> • Insufficient Evaluation in advance of application for onshore, intertidal and offshore areas; • Embedded environmental measures do not include convincing and practicable provision to avoid the risk of harm to potentially nationally important archaeological remains; • The Applications Outline Marine Written Scheme of Investigation (WSI) is not of a high enough standard and should not be accepted as a certified document; • The wording of the WSI conditions in Schedules 11 and 12 of the Deemed Marine Licences need amending to ensure implementation in the crucial post-consent and pre-construction phases; • The ExA requiring the Applicant to better reveal the significance of identified heritage assets. 	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-1, Ref 0.4 [REP2-026].
2.6.76	2.3.2 The MMO notes that HE is working with the Applicant to see how the above issues can be resolved. The MMO will keep a watching brief on the above matters and hopes to see them resolved throughout the examination process. However, the MMO defers to HE for matters relating to the Historic Environment.	Noted, the Applicant has no further comments on this matter at this time.
2.6.77	<p>Natural England</p> <p><u>Offshore In-Principal Monitoring Plan</u></p> <p>2.4.1 The MMO notes that NE have several concerns relating to the Offshore In Principal Monitoring Plan (IPMP). NE believe much more detail is required than is currently provided in the IPMP. Specifically: what hypotheses will be tested? How will monitoring be designed to achieve desired outcomes? What will the timing of these surveys be? What lessons can be learnt from previous surveys?</p>	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 4-8 [REP2-026].
2.6.78	2.4.2 The MMO notes that NE advise that any monitoring employed should be effective in informing suitable mitigation measures and the effectiveness of such measures as to comply with assessments stipulated in the DCO/DML and mitigate significant effects. Additionally, NE advises that greater consideration is given within	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 10-11 [REP2-026].

Ref	Deadline 2 Submission	Applicant's Response
	the IPMP to the monitoring and potential risks of the proposed works to coastal processes and designated site features.	
2.6.79	2.4.3 The MMO ultimately defers to NE on these matters as the Statutory Nature Conservation Body (SNCB) and hopes that the Applicant and NE can resolve these matters prior to the close of Examination. The MMO welcomes inclusion in discussions if resolutions require change or input to the DML, additionally, should it be considered that a Wildlife Licence is required due to certain species being protected by the Wildlife and Countryside Act 1981, the MMO will need to be involved in such discussions.	Noted, the Applicant has no further comments on this matter at this time.
2.6.80	<u>Draft Development Consent Order</u> 2.4.4 The MMO notes NE acknowledges multiple changes to the draft DCO by the Applicant following recommendations from NE. The MMO acknowledge that NE believe there are still outstanding amendments to the draft DCO which require further consideration or more precise wording put in place.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref A1 to A3 [REP2-026].
2.6.81	2.4.5 NE note that discussions regarding the compensation requirements for Kittiwake are still ongoing and therefore, their position on the compensation schedule may be subject to change.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref A4 [REP2-026].
2.6.82	2.4.6 NE note that Schedule 17 should be amended to include provisions for a timetable for preparation and delivery of the Kittiwake Implementation and Monitoring Plan (KIMP), a schedule of meetings and an agreed dispute resolution procedure. It should also include provisions for decommissioning and the requirements to notify and seek approval from the SoS of installation and removal timescales.	The Applicant is continuing discussions with Doggerbank South to agree conditions for the proposed artificial nesting structures for kittiwake and will submit an updated Schedule 17 in due course. The Applicant also held a meeting with Natural England to discuss compensation options for kittiwake, razorbill and guillemot on 17 April 2024. As a result of discussions in this meeting, and to allow Natural England additional time to review documents, the Applicant has submitted an updated Kittiwake Implementation and Monitoring Plan (Document reference: 8.64) and a Guillemot and Razorbill Evidence and Roadmap (Document reference: 8.65) at Deadline 3. The Applicant plans to hold a further meeting with Natural England when they have reviewed the updated documents. This will then inform an update to Schedule 17.
2.6.83	2.4.7 NE advise that timing requirements be put in place to ensure that compensation can be delivered four full breeding seasons prior to operation as has been the case for several previous offshore wind developments.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref A6 [REP2-030].
2.6.84	<u>Summary of NE key environmental concerns</u> 2.4.8 The MMO notes NE's previous comments relating to potential disruption of coastal processes and coastal/seabed morphology and the impacts this may have on designated sites [RR –265]. The MMO notes that NE request that further consideration is given to monitoring times and duration of campaigns in order to better understand if there are any lasting impacts/and or recovery.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 10-11 [REP2-026].
2.6.85	2.4.9 The MMO acknowledges that NE note the IPMP as submitted does not include any ornithological monitoring based on the EIA or report for Appropriate Assessment concluding no Adverse effect on Integrity (AEoI) for ornithological receptors. NE acknowledges the Applicant has submitted a case for compensation	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 12 [REP2-026]. The Applicant

Ref	Deadline 2 Submission	Applicant's Response
	for potential AEol for kittiwake for Flanborough and Filey Coast SPA. Natural England is not currently able to provide advice on the potential for AEol on the guillemot and razorbill features of FFC SPA and on the guillemot feature of the Farne Islands SPA without a full in-combination assessment being provided. The MMO defers to NE for matters relating to ornithology.	would like to highlight that the case for compensation has been submitted on a without prejudice basis.
2.6.86	2.4.10 NE advise that consideration is given to the monitoring requirements of all the Priority/Annex I habitats raised within their previous Relevant/Written Representation [RR-265] and the potential risks to Marine Conservation Zone (MCZ) features from secondary impacts.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 13 [REP2-026].
2.6.87	2.4.11 The MMO acknowledges NE consideration that piling activities from 1st March 31st July inclusive have the potential to hinder the conservation objectives of Kingmere MCZ in relation to Black Sea Bream and that the Applicant has not included the seasonal restriction in its entirety in the Rampion 2 application, as advised in their Relevant/Written Representations [RR-265].	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 15 [REP2-026].
2.6.88	2.4.12 The MMO acknowledges NE concerns that the Applicant's Marine Mammal Mitigation Plan (MMMP) contains no considerations for monitoring the effectiveness of suggested mitigation measures in reducing the underwater noise impacts to acceptable levels.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref 16 [REP2-026].
2.6.89	<p data-bbox="477 1031 1576 1094"><u>Black Seabream Underwater Noise Technical Note and Survey Results - Revision A (PEPD-023)</u></p> <p data-bbox="477 1125 1576 1230">2.4.13 The MMO acknowledges NE's observation that both of the proposed noise thresholds for behavioural responses in black seabream (148 and 142 dB SPLRMS) are significantly above the observed baseline conditions.</p>	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref E3 [REP2-026].
2.6.90	2.4.14 NE observe that while the Applicant's claim that "314.3 dB SPLRMS is regularly exceeded under baseline conditions" this does not consider that these events account for around 1% of total time, are short term and may occur only once per day.	<p data-bbox="1620 1262 2763 1398">The Applicant would like to clarify that the number is 134.3 dB SPLRMS and not 314.3 dB SPLRMS in the Pre-Exam Procedural Deadline Submission – Appendix 8.4: Black Seabream Underwater Noise Technical Note and Survey Results - Revision A, Volume 4 of Environmental Statement [PEPD-023].</p> <p data-bbox="1620 1430 2763 1535">The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref E3 [REP2-026].</p>
2.6.91	2.4.15 NE believe, based on the evidence provided, that background noise levels rarely reach the thresholds proposed (148 & 142 dB SPLRMS), and when they occasionally do it is only for short periods of time.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref E4 [REP2-026].
2.6.92	2.4.16 NE believe piling would represent a notable increase from baseline conditions and therefore the data presented does not support the Applicant's assertion that there will be no impact on breeding black seabream under prolonged exposure to 148 & 142 dB SPLRMS conditions.	The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents – Applicant's Response to Prescribed Consultees' Written Representations Table 2-4, Ref E4 [REP2-026].

Ref	Deadline 2 Submission	Applicant's Response
2.6.93	2.4.17 The MMO attended a joint meeting between NE and Cefas on 11th March 2024 to discuss Black Seabream Underwater Noise Technical Note and Survey Results.	Noted, the Applicant has no further comments on this matter at this time.
2.6.94	<p>2.4.18 Several issues were raised in this meeting including:</p> <ul style="list-style-type: none"> • The need for a conversion table to properly assess how the single strike sound exposure level (SELss) is converted to the SPLrms specifically when considering the differences between impulsive and continuous noise. • The rational and suitability of the 135dB disturbance threshold. • The unproven nature of proposed mitigation techniques and the absence of adequate monitoring to provide data to fill those gaps. • The practical challenges of enforcing and monitoring the use of a zonal piling sequencing plan. • The risk that current proposed mitigation will not be enough to reduce dB levels to below a threshold which is deemed acceptable. 	<p>The Applicant is continuing discussions with Natural England and the Marine Management Organisation on the matters raised in the meeting held on the 11 March 2024 and has responded to the Examining Authority's Written Question FS 1.5 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document Reference 8.54) (which requests additional details on the 135db SELss threshold) at Deadline 3 in Fish and Shellfish Ecology Appendix H FS: Noise Thresholds for Black Seabream within the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).</p>
2.6.95	<p><u>NE Issues Log</u></p> <p>2.4.19 The MMO has briefly reviewed NE's Issues Log (REP1 –059) regarding the following sections:</p> <ul style="list-style-type: none"> • DCO/DML; • Offshore Ornithology. • Marine Mammals; • Coastal Processes; • Fish and Shellfish Ecology; • Benthic Ecology; • Other Plans 	Noted, the Applicant has no further comments on this matter at this time.
2.6.96	<p>2.4.20 The MMO understands that NE have several Red (unresolved) points relating to the DCO, Coastal Processes, Fish and Shellfish Ecology, Benthic Ecology and Other Plans. The MMO understands that if these points are not resolved during examination, that NE will advise that it is not possible to ascertain beyond reasonable scientific doubt that the project will not affect the integrity of a Special Area of Conservation (SAC)/Special Protected Area (SPA)/ Ramsar and /or significantly hinder the conservation objectives of a Marine Conservation Zone (MCZ)/ or damage or destroy the interest features of a Special Site of Scientific Interest (SSSI) and/or have significant adverse effects on landscape/ seascape and/or comply fully with the Environmental Impact Assessment requirements.</p>	The Applicant is continuing to engage with Natural England to resolve the outstanding issues in Natural England's Issues Log.
2.6.97	<p>2.4.21 The MMO hopes to see red points resolved throughout examination, especially points D15, E8, E21- E23, E25-26, E28, E29, E30, E31-E35, E36-38,</p>	The Applicant is continuing to engage with Natural England to resolve the outstanding issues in Natural England's Issues Log.

Ref	Deadline 2 Submission	Applicant's Response
	E43-45, E70 – 74, E77-79, E82, E88, E91, E94, E96, E99-100, F7, F12, F39, G2-3, and G11. The MMO will keep a watching brief on future NE responses, and comment accordingly throughout examination	
2.6.98	2.4.22 The MMO generally support the points raised by NE but would like to draw attention particularly to points relating to Under Water Noise and Black Sea Bream. There is still no agreed behavioural sound threshold for Black Sea Bream, and the MMO will continue to work closely with NE, the Applicant and its technical advisors throughout examination to ensure that an appropriately conservative threshold is met.	Noted, the Applicant has no further comments on this matter at this time.
2.6.99	<p>West Sussex County Council</p> <p>2.5.1 The MMO has reviewed the Local Impact Report provide by West Sussex County Council (WSCC) at deadline 1. The MMO notes the following overarching concerns that WSCC have with regards to Rampion 1:</p> <ul style="list-style-type: none"> • Seascape, Landscape and Visual Impacts – concern that worst-case scenario relative to West Sussex receptors has not been presented; • Socio-economics – low economic impact/growth locally as a result of the project and potentially negative impact on tourism; • Local impacts during construction phase and operational phase; • Onshore Ecology – risks resulting from HDD and landfall site 	The Applicant has responded to these comments in the Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020] .
2.6.100	2.5.2 The MMO acknowledges the above concerns of WSCC and understands that their Deadline 1 response covered several other areas not included in our review. The MMO will keep a watching brief on further responses submitted by WSCC and corresponding responses from the Applicant and hopes to see the above concerns resolved during examination.	Noted, the Applicant has no further comments on this matter at this time.
2.6.101	2.5.3 The MMO understand that Trinity House (TH) and the Maritime and Coastguard Agency (MCA) have not submitted a Written Response at Deadline 1, and therefore the MMO are not able to provide any comments regarding TH and the MCA.	Noted, the Applicant has no further comments on this matter at this time.
	3. MMO response to ISH1 Action Points	
2.6.102	3.1.1 The MMO acknowledges the Applicants updated Outline Fisheries Liaison and Co-existence Plan which addresses issues raised regarding lessons which can be learnt from Rampion 1 and clarification of the dispute resolution process commented on in response to MMO relevant representation.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.103	3.1.2 The MMO notes the submission of Appendix 7 – Further Information for Action Point 33 – Kittiwake Implementation and Monitoring Plan to address comments raised by Natural England. The MMO acknowledges that this document sets out the need for compensatory measures with regards to Kittiwake as well as proposals for the implementation and monitoring of these projects. The MMO defers to NE as	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
	SNCB on matters relating to ornithology but will maintain a watching brief on responses from the Applicant relating to concerns raised in Agenda Item 10.	
2.6.104	3.1.3 The MMO notes the submission of Appendix 8 – Further Information for Action Point 34 – In Combination Assessment Update for Guillemot and Razorbill to address NE's disagreement with the Applicant's position on Guillemot and Razorbill within Flamborough and Filey Coast SPA and Guillemot within the Farne Islands SPA. The MMO defers to NE on matters relating to ornithology but will maintain a watching brief on responses from the Applicant relating to concerns raised in Agenda Item 10.	Noted, the Applicant has no further comments on this matter at this time.
2.6.105	3.1.4 The MMO acknowledges the Applicants submission at Deadline 1 of Issue Specific Hearing 1 Appendix 9 - Further information for Action Points 38 and 39 – Underwater Noise to provide an assessment of the worst-case operational noise scenario. The MMO will review this document along with its scientific advisors and provide further comments at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.106	3.1.5 The MMO notes that the Applicant has provided a detailed response to NE's concerns regarding UXO clearance in their response to NE Relevant Representations.	Noted, the Applicant has no further comments on this matter at this time.
2.6.107	3.1.6 The MMO thanks the Applicant for their submission of spawning and habitat suitability heatmaps for both sandeel and herring following the MarineSpace et al., (2013a) methodology.	The Applicant welcomes the Marine Management Organisation's support on the submission of the habitat suitability heatmaps.
2.6.108	3.1.7 The MMO thanks the Applicant for their additional consideration of the potential impacts of noise disturbance on spawning herring. The MMO welcomes the new figures provided in Chapter 8: Fish and shellfish ecology, Volume 3 [APP081] to assess Temporary Threshold Shift (TTS). The MMO will review this document along with our scientific advisors and provide further comments at Deadline 3.	The Applicant welcomes the Marine Management Organisation's support on the submission of the additional consideration of the potential impacts of noise disturbance on spawning herring and new figures in Chapter 8: Fish and shellfish ecology – Figures, Volume 3 of the Environmental Statement [APP-081].
2.6.109	3.1.8 The MMO notes that the Applicant has the acknowledged in their In Principle Sensitive Features Mitigation Plan that piling activity in the Western array may need to be restricted in the month of July.	Noted, the Applicant has no further comments on this matter at this time.
2.6.110	3.1.9 The MMO notes that at present it is the Applicant's intention to implement a piling sequencing plan for July in combination with proposed mitigation, including, the use of low noise hammer technology and Double Big Bubble Curtain (DBBC). The MMO reiterates that carrying out piling activity of any kind continues to go against strong recommendations by NE. The MMO will further review documents submitted at Deadline 1 along with its scientific advisors and provide further comments at Deadline 3.	Please refer to the Applicant's response to reference 2.6.45 above.
2.6.111	3.1.10 The MMO acknowledges the additional clarifications on impacts to seahorses from underwater noise provided in Appendix 9 - Further information for Action Points 38 and 39 – Underwater Noise (REP1-020). The MMO defers to NE on features of MCZs as the SNCB but will maintain a watching brief on this matter.	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
2.6.112	3.1.10 The MMO thanks the Applicant for submitting an updated Chapter 11: Marine mammals (tracked & clean) Volume 2, Environmental Statement to address issues raised regarding marine mammals in Agenda Item 12. The MMO will review this document along with its scientific advisors and will provide further comments at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time
2.6.113	3.1.11 The MMO notes the submission of Appendix 10 - Further Information for Action Point 42 – Proximity to Marine Wildlife in lieu of an Outline Vessel Management Plan. The MMO recognises this information will form part of the Vessel Management Plan submitted as part of the DCO Application. The MMO will review this document along with its scientific advisors and may provide further comments at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.114	3.1.12 The MMO notes the submission of Appendix 13 - Further Information for Action Point 45 and 46 – Physical Processes and Benthic. The MMO will review this document along with its scientific advisors and will provide further comments at Deadline 3.	Noted, the Applicant has no further comments on this matter at this time.
2.6.115	3.1.12 The MMO acknowledges that the Applicant is considering the issues raised regarding the draft DCO and will address them as necessary in the updated version of the draft DCO to be submitted at Deadline 2.	The Applicant highlights that a further update to the Draft Development Consent Order [REP2-002] has been submitted at Deadline 3.
	4. MMO response to the Statements of Commonality SoCG	
2.6.116	4.1.1 The MMO attended a meeting with the Applicant on 23rd February 2024 in which the categorisation of issues listed in the Statement of Common Ground were discussed. There was no disagreement between the MMO and the Applicant as to the status of any listed issues. Confirmation of the MMO's position on outstanding issues is summarised below	The Applicant welcomes the Marine Management Organisation's agreement on the status of listed issues.
2.6.117	4.1.2 The statement within the introduction detailing that <i>"The MMO is an executive non-departmental public body whose purpose is to protect and enhance the UK marine environment and support economic growth by enabling sustainable marine development"</i> should be amended to reflect that the MMO is the regulator for English and Northern Ireland offshore waters.	This has been updated and will be issued to the Marine Management Organisation in due course.
2.6.118	4.1.3 Issues pertaining to Draft DCO - Article 5, Benefits of the Order and Part 4 Supplemental Powers (20(2) Public rights of navigation. The MMO maintains concerns about the Draft DCO and considers this an ongoing point of discussion. The Applicant stated they would provide comments regarding these issues in their responses to relevant representations submission at Deadline 1.	The Applicant has responded to these comments in the Deadline Submission 1 – 8.24 Applicant's Responses to Relevant Representations [REP1-017] . Please also see the Applicant's response to the Examining Authority's Written Question DCO 1.3 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document Reference 8.54) .
2.6.119	4.1.4 Issues pertaining to determination dates listed in Draft DCO – Schedules 11 & 12 Condition 12. The MMO remain of the belief that these deadlines should be six months as opposed to the stated four months, in order to allow appropriate time for consultation. The MMO does not consider this issue to be fully resolved but is hopeful that ongoing discussions with the Applicant during Examination will lead to resolution.	Please refer to the Applicant's response to reference 2.6.9 above.

Ref	Deadline 2 Submission	Applicant's Response
2.6.120	4.1.5 Issues pertaining to Draft DCO – Schedules 11 & 12 – Additional Conditions. The MMO maintains the belief that additional conditions should be added to Schedules 11 & 12 of the Draft DCO. The Applicant stated they would provide comments on these issues in their responses to relevant representations submission at Deadline 1.	The Applicant has responded to these comments in the Deadline Submission 1 – 8.24 Applicant's Responses to Relevant Representations [REP1-017] .
2.6.121	4.1.6 Draft DCO – Condition 9: The agreement by the MMO to a list of Notified Chemicals approved for use by the offshore oil and gas industry. The MMO considers this to be an ongoing point of discussion and will provide further comments following upcoming updates from the MMO Strategic Renewables Unit which will affect all DCOs. The MMO is hopeful this will be resolved during Examination.	Noted, the Applicant has no further comments on this matter at this time.
2.6.122	4.1.7 Inconsistencies in reference to the maximum number of proposed turbines at Rampion 2 with both 116 and 90 turbines stated. Applicant has confirmed the maximum number of turbines will be 90. The MMO considers this matter resolved.	The Applicant welcomes the Marine Management Organisation's agreement that this issue has been resolved.
2.6.123	4.1.8 Offshore maintenance & Noise plans deadlines. The MMO remain of the belief that these deadlines should be six months as opposed to the stated four months, in order to allow appropriate time for consultation. The MMO believes this issue may not be fully resolved but is hopeful for ongoing discussions during Examination.	Please refer to the Applicant's response to reference 2.6.9 above in relation to updated deadlines for the DCO Management Plans.
2.6.124	4.1.9 Physical and Chemical Contamination. The MMO restated our concern that the name of the laboratory used to conduct the Physical and Chemical Contamination testing could not be found and therefore could not be verified. The Applicant has since clarified (REP1-017) that all organic matter, hydrocarbon and metals analysis was undertaken by SOCOTEC UK Limited, and that all other analysis of sediment samples was undertaken by Ocean Ecology Limited.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.125	4.1.10 Coastal Processes and Benthic Monitoring. The MMO maintains the belief that multiple updates are still required to address issues with coastal processes and benthic monitoring plans. The MMO acknowledges the Applicants responses to points raised by the MMO on this topic in REP1-017 relating to coastal processes and benthic monitoring, as well as the submission of additional documents (REP1 - 036 and REP1 - 030). As stated throughout this response, the MMO will provide comments on these reports in our next deadline response.	Noted, the Applicant has no further comments on this matter at this time.
2.6.126	4.1.11 Fish Ecology: MMO restated its concerns over risks to fish species and commercial fisheries particularly in relation to black seabream and herring spawning grounds. MMO restated the concerns raised by its scientific advisors about the suitability and effectiveness of impact modelling specifically in relation to seasonality, spawning area contours and decibel (dB) thresholds. The MMO acknowledges the Applicants comments in REP1-017, and the MMO will provide comments on this in our next deadline response.	Noted, the Applicant has no further comments on this matter at this time.
2.6.127	4.1.12 Agreement between the Applicant and the MMO that any unresolved issues which are still present at the end of Examination will be escalated to the Secretary of State (SofS).	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
2.6.128	<p>4.1.13 The MMO has reviewed the Statement of Commonality for Statements of Common Ground (SoCG) and the MMO believes that the categorisation of Coastal Processes, Benthic/Subtidal/Intertidal Ecology, Marine Mammals and DCO and Securing Mechanism as light green (Some matters agreed / some matters under discussion) is misleading. The MMO believes these sections should be re categorised as purple (Some matters agreed, some matters not agreed, some matters under discussion) to reflect the levels of ongoing negotiations and significance of existing MMO concerns more accurately. The MMO are in the process of reviewing the Applicant's Deadline 1 submissions along with its technical advisors to determine the status of ongoing discussions more accurately.</p>	<p>The Applicant has noted this point raised by the Marine Management Organisation. A clear narrative and reasoning has been provided for the selected colour codes in the Pre-Exam Procedural Deadline Submission – 8.21 Statement of Commonality for Statements of Common Grounds [PEPD-039]. This has been implemented across all Statements of Common Ground (SoCGs). The Marine Management Organisation has reviewed a live version of the Pre-Exam Procedural Deadline Submission – 8.21 Statement of Commonality for Statements of Common Grounds [PEPD-039] as part of the SoCG and SoCG Page turn meeting on 23rd February 2024 and changes were made. An updated Pre-Exam Procedural Deadline Submission – 8.21 Statement of Commonality for Statements of Common Grounds [PEPD-039] has been provided at Deadline 2.</p>
5. MMO comments on Applicant's responses to Relevant Representations		
2.6.129	<p>5.1.1 The MMO has reviewed the Applicants comments (REP1-017) on the Relevant Representations of the following interested parties:</p> <ul style="list-style-type: none"> • Natural England • Historic England • Sussex Wildlife Trust • Maritime Coastguard Agency • Trinity House • West Sussex County Council 	<p>Noted, the Applicant has no further comments on this matter at this time.</p>
2.6.130	<p>Sussex Wildlife Trust</p> <p>5.2.1 The MMO acknowledge comments made by the Sussex Wildlife Trust (SWT) and understand that there are major concerns regarding the use of the Rochdale Envelope which has led to significant uncertainty. Similarly, SWT are also concerned about the caveats and lack of clarity in the commitments register. SWT also have concerns about several offshore aspects of the development, and the MMO will keep a watching brief on further responses from the SWT, with the hope to see concerns resolved, especially concerns relating to Black Sea Bream.</p>	<p>The Applicant has responded to these comments in the Deadline 2 Submission – 8.49 Category 8: Examination Documents Applicant's Response to Non-Prescribed Consultees' Written Representations Table 2-4, Ref E3 [REP2-030].</p>
2.6.131	<p>Historic England</p> <p>5.3.1 The MMO acknowledge comments by Historic England (HE) regarding the limitations of marine archaeology evaluation, specifically the lack of geotechnical survey works. The MMO understands that Historic England would like to see geoarchaeological analysis of geotechnical survey materials within the Written Scheme of Investigation (WSI). The MMO acknowledges the Applicant's comments in response to this, and understands that further advice may be provided by HE in subsequent WRs.</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p>

Ref	Deadline 2 Submission	Applicant's Response
2.6.132	<p>5.3.2 The MMO acknowledge HE's overall position, and understands the specific areas of concern are as follows:</p> <ul style="list-style-type: none"> insufficient evaluation has been done in advance of the application for onshore, intertidal and offshore areas, the onshore route selection process was determined without due regard to the potential significant effects on heritage, and the embedded environmental measures do not include convincing and practicable provision to avoid the risk of harm to potentially nationally important archaeological remains. 	The Applicant has provided response to Historic England in Table 2-1, Deadline 2 Submission – 8.49 Category 8: Examination Documents Applicant's Response to Prescribed Consultees' Written Representations [REP2-026] at Deadline 2.
2.6.133	5.3.3 The MMO understands that an updated WSI will be provided at examination deadline 3, and the MMO will keep a watching brief on whether HE concerns are resolved.	The Applicant has submitted an updated Outline Marine Written Schemes of Investigation [APP-235] at Deadline 3.
2.6.134	5.3.4 The MMO acknowledges HE request for provisions within the Schedule of Requirements to secure avoidance and/or mitigation of harm by requiring the approval of Relevant authorities. The MMO notes the Applicant's comments and will keep a watching brief on further documents provided by HE to the Applicant related to this.	Noted, the Applicant has no further comments on this matter at this time.
2.6.135	<p>Natural England</p> <p>5.4.1 The MMO has reviewed the Applicant's responses to major issues (red) requiring resolution only, due to the size of NE Relevant Representation.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.136	<p>Coastal Processes</p> <p>5.4.2 The MMO notes NE's concern relating to Climping Beach SSSI regarding impacts from cable protection in the nearshore and intertidal. The MMO understands that NE have advised that an Outline Cable Specification and Installation Plan should be provided by the Applicant. The MMO acknowledges the Applicant's detailed response, concluding that the 'coastal vulnerability of the Proposed Development is considered to be low' and that the Applicant will continue engaging with the EA.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.137	<p><u>Fish and Shellfish</u></p> <p>5.4.1 The MMO acknowledges that the Applicant has provided clarification regarding worst-case scenarios being presented in E8 (table 8.17).</p>	Noted, the Applicant has no further comments on this matter at this time.
2.6.138	<p>5.4.2 The MMO acknowledges the Applicant's response to points relating to Kingmere MCZ, underwater noise and Black Sea Bream, specifically:</p> <ul style="list-style-type: none"> • E23 - NE advice habituation is not considered within assessment. 	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
	<ul style="list-style-type: none"> E33- NE do not support a behavioural threshold for Black Seabream being derived on studies based on proxy species, playback, undertaken in captivity, using akin noises rather than actual piling noises and studies within quiet lochs. E34 – NE disagree with the addition of 30dB to the background noise levels of Radford et al (2016) E35 – NE do not support the use of 141dB re 1 uPa SELss as a threshold for black seabream (Kastelein et al. (2017) and that this study cannot be used to predict fish behavioural responses for many reasons. 	
2.6.139	5.4.4 The MMO understands that these points are areas of ongoing discussion between the MMO, NE and the Applicant, and the MMO will continue to work closely with both to resolve these issues.	Noted, the Applicant has no further comments on this matter at this time.
2.6.140	5.4.5 The MMO acknowledge the Applicant's response to NE points E37-39 (MCZ). Similarly to the above point, the MMO will continue to work closely with both NE and the Applicant to resolve issues relating to black seabream.	Noted, the Applicant has no further comments on this matter at this time.
2.6.141	5.4.6 In response to NE advice to amend commitment C-265 to reflect the magnitude of TTS impacts on seahorses (currently classified as negligible by the Applicant), the MMO acknowledges that the wording of C-265 has been amended to reflect the wording in the MCZ and understands that the Applicant is confident that the implementation of a noise abatement system year-round will ensure the conservation objectives of the Beachy Head West MCZ are not hindered.	This is welcomed by the Applicant. The Applicant also directs the Marine Management Organisation to Deadline 1 Submission – 8.25.1 Applicants Post Hearing Submission – Issue Specific Hearing 1 Appendix 9 - Further information for Action Points 38 and 39 – Underwater Noise [REP1-020] , where the mitigated TTS impacts ranges (with the minimum noise abatement offered by the proposed mitigation (-6dB reduction, from low noise hammers)) have been presented in relation to the Beachy Head West Marine Conservation Zone (MCZ). With the implementation of the minimal proposed mitigation throughout the piling campaign, there is no interaction of the TTS impact contours with the MCZs. The Applicant is therefore confident that the proposed mitigation measures, will ensure that there is no hindrance of the conservation objectives of any of the MCZs from underwater noise impacts.
2.6.142	5.4.7 The MMO acknowledges comments made by the Applicant in response to seahorses – underwater noise – behavioural impacts (E45 46) and understands that the Applicant is confident that a suitably precautionary assessment has been undertaken to establish the potential impacts from underwater noise on seahorses.	Noted, the Applicant has no further comments on this matter at this time.
2.6.143	5.4.8 The MMO has reviewed responses by the Applicant to NE points E73 – 76, E80 –81 and E84 and understands that the Applicant is confident that the conservation objectives of the Kingmere MCZ will not be hindered, and that where applicable, suitably precautionary assessments have been undertaken to establish the potential impacts on seahorses. The MMO understands that the Applicant is undertaking additional work to provide a comparison of the environmental conditions at the Proposed Development with other projects where Noise Abatement Systems (NAS) have been deployed, which will be submitted into examination.	Noted, the Applicant has no further comments on this matter at this time.
2.6.144	5.4.9 With regard to NE points E86, E90, E98-99, E102-105, E107 and E110-114, the MMO understands that the Applicant is undertaking additional work to provide a comparison of the environmental conditions at the Proposed Development with other projects where NAS have been deployed, which will be submitted into	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
	examination. The MMO also understands that the Applicant is not proposing to adopt the suggested July piling restriction. The MMO is still of the view that seasonal restrictions in the month of July are required.	
2.6.145	<u>Benthic, Subtidal and Intertidal Ecology</u> 5.4.10 The MMO acknowledges the Applicant's response to NE F6, reiterating that the assessment does not rely upon a habitat model based solely on historic data. The MMO notes that the Applicant has confirmed it is committed to undertaking detailed pre-construction surveys as referenced in the Offshore In Principal Monitoring Plan, which is secured in Schedules 11 and 12 of the draft DCO.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.146	5.4.11 The MMO acknowledges the Applicant's response to NE point F11 and understands that Rampion 1 data cannot be made publicly available until they are discharged by the respective authorities.	Noted, the Applicant has no further comments on this matter at this time.
2.6.147	5.4.12 The MMO acknowledges the Applicant's response to F36 with regard to the impacts within the 500m buffer, should they occur, being minor. The MMO understands that the Applicant considers their assessment to be robust and adequate, and no further consideration will be provided.	The Applicant welcomes the Marine Management Organisation's support on this matter.
2.6.148	<u>Other Plans</u> 5.4.13 The MMO acknowledges that the Applicant will consider whether any additional detail is required within the current in-principal Plan, and the MMO hopes to see this point (point G2) resolved throughout examination.	Noted, the Applicant has no further comments on this matter at this time.
2.6.150	5.4.14 The MMO acknowledges NE concern regarding how the purpose of the monitoring is conditioned within the DCO, and how this may prevent adaptive management, should impacts be identified that are outside of those predicted. The MMO notes that both NE and the Applicant have stated that they will work together to ensure all monitoring is fit for purpose.	Noted, the Applicant has no further comments on this matter at this time.
2.6.151	5.4.15 The MMO acknowledges the Applicant's response to point G11 (Outline Scour Protection and Cable Protection Plan)	Noted, the Applicant has no further comments on this matter at this time.
2.6.152	<u>Environment Agency</u> 5.5.1 The MMO acknowledges the Environment Agency (EA) response with regards to the marine environment, and notes that overall, they are satisfied with the Water Framework Directive (WFD). The MMO notes that concerns remain relating to the release of significant quantities of bentonite during the drilling processes and offshore construction. The Applicant has responded stating that there is ongoing engagement with the Sussex Kelp Recovery Project (SKRP), and the MMO will keep a watching brief on how this progresses throughout examination.	Noted, the Applicant has no further comments on this matter at this time.
2.6.153	5.5.2 The MMO notes concerns regarding the landfall location at Climping beach, but notes that the EA are satisfied that the Applicant has understood the rapidly changing coastal morphology of the site. The Applicant has stated that further	The Applicant welcomes the Marine Management Organisation's support on this matter.

Ref	Deadline 2 Submission	Applicant's Response
	ground investigations will be carried out, which in combination with the future beach profile estimations will help identify further mitigation measures, if required. The MMO is pleased to see this dialogue and will keep a watching brief on this issue.	
2.6.154	West Sussex County Council 5.6.1 The MMO notes that the Applicant agrees with WSCC regarding point 2.3.2, that the proposed development will likely have significant impacts on seascape, landscape and visual effects for several local areas. The Applicant summarises that the wider benefits of Rampion 2 must be weighed against the adverse impacts locally (e.g., visually), and that this should be taken into account to achieve net zero carbon emissions in 2050.	Noted, the Applicant has no further comments on this matter at this time.
2.6.155	5.6.2 The MMO has reviewed the Applicant's responses to the WSCC Relevant Representation and understands that the majority of the WSCC concerns are related to onshore issues, and in these instances the MMO fully defer to the WSCC as the local planning authority and to Natural England for matters relating to the natural environment.	Noted, the Applicant has no further comments on this matter at this time.
2.6.156	Other Interested Parties 5.7.1 The MMO has reviewed the Applicant's responses to the Maritime Coastguard Agency and Trinity House and have no comments to make.	Noted, the Applicant has no further comments on this matter at this time.
6. MMO comments on Applicant's Deadline 1 submissions		
2.6.157	<p>6.1.1 The MMO acknowledges the revisions to the submitted documents below. The MMO Rampion Case Team have not been able to consult with its technical advisors and will therefore provide detailed responses to these documents separately, or within our Deadline 3 response:</p> <ul style="list-style-type: none"> • Chapter 11: Marine mammals (REP1 – 004) • Outline Fisheries Liaison and Co-existence Plan, Revision B (REP1-014) • Fish and Shellfish (Figures) (REP1-007) • In Principle Sensitive Features Mitigation Plan, Revision B (REP1 – 012) • Benthic - Subtidal benthic characterisation survey report appendices (REP1-036) • Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 9 • Further information for Action Points 38 and 39 – Underwater Noise (REP1-020) • Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 10 • Further Information for Action Point 42 – Proximity to Marine Wildlife (REP1-028) • Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 13 	Noted, the Applicant has no further comments on this matter at this time.

Ref	Deadline 2 Submission	Applicant's Response
	<ul style="list-style-type: none"> Further Information for Action Point 45 and 46 – Physical Processes and Benthic (REP1-030) 	
2.6.158	6.1.2 The MMO may also provide additional responses to the Applicant's comments on our Relevant Representation, and any additional comments will be included in our Deadline 3 response.	Noted, the Applicant has no further comments on this matter at this time.
	7. MMO Response to Updated Black Sea Bream Report (PEPD - 023)	
2.6.159	Fisheries Response 7.1.1 The Updated Black Sea Bream Report aims to provide new evidence to inform the Under Water Noise (UWN) modelling and Environmental Impact Assessment (EIA) predictions on the likelihood of significant impacts to Black Sea Bream during their nesting season. No new mitigation measures have been proposed within the report.	Noted, the Applicant has no further comments on this matter at this time.
2.6.160	7.1.2 Additional peer-reviewed publications have been used in Section 6 to support the discussion on a suitable noise threshold for black seabream such as Radford et al. (2016), Kastelein et al. (2017) and Hawkins et al. (2014), and whilst none of these papers provide a noise threshold for black seabream, they do provide noise thresholds for other fish species (e.g. European seabass and sprat) which can aid decision-making on establishing a suitable threshold.	Noted, the Applicant has no further comments on this matter at this time.
2.6.161	7.1.3 The MMO note that there are a number of outstanding issues relating to impacts to fisheries and fish ecology that have been not yet been addressed. Please refer to our previous responses for further details as there are numerous issues outstanding – key areas include UWN modelling in relation to black seabream and Atlantic herring, the cumulative impact assessment, post-construction monitoring, impacts to black seabream nesting areas during construction of the export cable corridor, and the need for post-construction monitoring.	Noted, the Applicant is assessing the viability of additional measures to resolve the outstanding issues related to underwater noise, black seabream, and Atlantic herring and will provide an update in due course.
2.6.162	7.1.4 The monitoring report as a standalone document does not change the current position of the MMO regarding the need for temporal mitigation to protect Black Sea Bream during their breeding period (March – July inclusive). The MMO maintain that a precautionary approach should be taken and recommend that no piling be conducted during the whole breeding season of black seabream.	Please refer to the Applicant's response to reference 2.6.45 above.
2.6.163	7.1.5 As mentioned above, there are a number of outstanding issues relating to impacts to fisheries and fish ecology that have been not yet been addressed. For this reason, it is not yet possible to determine whether additional mitigation measures or monitoring of fisheries and fish ecology are required.	Noted, the Applicant has no further comments on this matter at this time.
2.6.164	7.1.6 The report does not address concerns raised previously by the MMO with regard to Black Sea Bream thresholds. A discussion is presented in Section 6.2.2 of the report which sets out the potential use of noise abatement measures that could be employed during piling to reduce noise to an acceptable level, i.e. an agreed	The Applicant has provided responses to the Marine Management Organisation's bullet points in order below.

Ref	Deadline 2 Submission	Applicant's Response
	<p>threshold for black seabream. A threshold of 141 dB SELss – is recommended by the report author as a reasonable precautionary threshold, based on a study of adult European seabass that displayed an initial startle response of between 141 dB SELss and 147.4 dB SELss. It is unclear whether the author is citing results from Radford et al. (2016) or Kastelein et al. (2017) as the footnotes to reference studies do not make it clear. The MMO have previously highlighted the limitations with using the thresholds from Radford et al. (2016) or Kastelein et al. (2017) in previous advice, but they are summarised again below for ease:</p> <ul style="list-style-type: none"> • The first concern is that whilst European seabass may be anatomically similar to black seabream, the fish used in the study were captive bred specimens and the experiments were conducted in tanks. The MMO must therefore consider whether wild black seabream might respond differently. • The next concern is that the European seabass were not engaged in spawning or nesting guarding behaviour, in fact they are broadcast spawners so are not reliant on particular seabed habitats for reproduction, so there is also uncertainty on how wild black seabream might respond if they were exposed to increased noise disturbance during their breeding season. Abandonment of nests by male black seabream will result in nests being untended from a build-up of sediments, algae etc and smothering of eggs in their developmental stage, as well as predation of eggs by other fish and invertebrates. • The MMO have also previously highlighted that in the study by Kastelein et al. (2017), a 50% initial response threshold occurred at an SELss of 131 dB re 1 mPa² s for 31 cm fish and 141 dB re 1 mPa² s for 44 cm fish; thus, the small fish reacted to lower SELss than the large fish. Black Sea Bream attain reproductive maturity at 30cm, so noting that the smaller seabass of 31cm showed initial responses at a threshold of SELss of 131 dB re 1 mPa² s it can be argued this (131dB) threshold is more suitable. • Given the limitations of the studies outlined above, but acknowledging that 131dB is a very low threshold, in line with our previous advice, we maintain that the threshold of 135 dB SELss, as per Hawkins et al., (2014), should be used as a precautionary approach to modelling. Although still making inferences from a proxy species (sprat), the 135 dB threshold was based on a study of wild sprats i.e., clupeids with greater hearing capability and higher sensitivity to UWN than black seabream and seabass, and as a result this threshold is already considered sufficiently conservative for the purposes of modelling UWN. • The report author states that 'there appears to be no evidence to support the use of 135 dB SELss other than that it is lower than 141 dB SELss'. However, as outlined in point 28iv, the 135dB threshold is based on a peer-reviewed paper on a field study involving piling playback with wild sprat which are more sensitive to UWN than black seabream. The study also took place in a quiet lough. For these reasons, the 135dB can be considered precautionary, but less precautionary than if we were to use the threshold of 131dB which was found in the study by Kastelein et al. (2017) for seabass that were of the same size as reproductively mature black seabream. 	<ul style="list-style-type: none"> • The Applicant notes the concern regarding the use of captive vs wild individuals, however, due to the recognised anatomical similarities of sea bass to seabream, maintain that this data is the most robust for the species of concern, as opposed to the reliance on the Hawkins <i>et al</i> (2014) study which used sprat; a species which is known to be much more sensitive to underwater noise and would therefore be expected to have a much increased reaction to any noise stimulus. • The Applicant suggests that the broadcast spawning behaviour of a seabass could imply that this species would be more likely to respond to an external stimulus (i.e. avoidance) due to the lack of substrate dependency and the ability to therefore move location without the same potential penalties to breeding success. The biological drivers for a seabream to stay guarding its nest is likely to decrease the response to any external stimulus (e.g. Skaret <i>et al.</i>, 2005), thereby further supporting the use of the 141dB threshold as conservative for this species. • As noted in Kastelein et al. (2017), the response recorded at 141dB (or 131dB for the smaller fish) is a startle response, which could be a brief change in swimming speed, direction, or body posture, in at least one of a group of four fish, with a very limited time duration, as opposed to a full abandonment of the ensonified area. As noted, this noise level is not considered to have any potential to trigger a significant effect on the black bream population within the Marine Conservation Zone (MCZ) and nor is it even likely to have an individual effect on breeding success. Whilst as noted by the MMO, the abandonment of the nests could lead to "a build-up of sediments, algae etc and smothering of eggs in their developmental stage, as well as predation of eggs by other fish and invertebrates", this would not be reasonably expected to occur within the two minute startle response recorded by Kastelein <i>et al</i> (2017) and would require the full abandonment of the nest for that breeding season. As the Applicant has proposed, the 141dB SELss limit would be the maximum at the boundary of the Kingmere MCZ, and only at the maximum blow energy, no feature of the MCZ would even be expected to be exposed to this level of impact and therefore it remains conservative and sufficient to ensure no significant effects to the black bream feature of the MCZ. • As noted by the Applicant, the 135dB SELss threshold is not considered relevant and is not supported in the literature for use in impact assessments and notwithstanding the above, nor are the results of the study applicable to a more industrialised part of the sea with much higher background noise levels. The Applicant maintains that a threshold of 141dB SELss is appropriate for black bream. • For the reasons outlined above, the Applicant considers that both the 131dB SELss and 135dB SELss levels noted by the MMO are unreasonably low and not applicable for the Proposed Development. However as requested by the Examining Authority, the Applicant will undertake noise modelling to demonstrate the effect of a 135 dB SELss threshold this has been provided in Fish and Shellfish Ecology Appendix H FS: Noise Thresholds for Black Seabream of Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).

Ref	Deadline 2 Submission	Applicant's Response												
2.6.165	<p>7.1.7 Table 5-1 of the report (summarised below) summarises the maximum, minimum and mean noise levels that were recorded for each month of the monitoring period. The highest average noise levels were recorded in March:</p> <p>* rms sound pressure level** peak sound pressure level</p> <table border="1"> <thead> <tr> <th>Noise levels in March</th> <th>Maximum</th> <th>Minimum</th> <th>Mean</th> </tr> </thead> <tbody> <tr> <td>SPLrms* (dB re 1 µPa)</td> <td>147.7</td> <td>106.3</td> <td>118.4</td> </tr> <tr> <td>SPLpeak** (dB re 1 µPa)</td> <td>165.9</td> <td>124.6</td> <td>139.5</td> </tr> </tbody> </table>	Noise levels in March	Maximum	Minimum	Mean	SPLrms* (dB re 1 µPa)	147.7	106.3	118.4	SPLpeak** (dB re 1 µPa)	165.9	124.6	139.5	Noted, the Applicant has no further comments on this matter at this time.
Noise levels in March	Maximum	Minimum	Mean											
SPLrms* (dB re 1 µPa)	147.7	106.3	118.4											
SPLpeak** (dB re 1 µPa)	165.9	124.6	139.5											
2.6.166	7.1.8 According to the report author, a summary of the data captured in March show that the average noise levels were driven by consistently higher noise levels during the tidal cycle, not unexplained high noise level events.	Noted, the Applicant has no further comments on this matter at this time.												
2.6.167	<p>7.1.9 A table summarising the statistical noise levels across the whole survey period is presented in Table 6-1 of the report, which shows that:</p> <ul style="list-style-type: none"> The average background noise level over the period was generally around 108.4 dB SPLrms,90 i.e. the level was exceeded for 90% of the time. A background noise level over 112.1 dB SPLrms,50 was exceeded for 50% of the time. A background noise level of 134.3 dB SPLrms,01 was exceeded for 1% of the time. (on average just over 14 minutes a day). 	Noted, the Applicant has no further comments on this matter at this time.												
2.6.168	<p>7.1.10 On the basis of the Applicant's opinion that the 135 dB SELss is not an appropriate threshold for black seabream, the report author has suggested a threshold of 141 dB SELss (which they have stated is approximately equivalent to 148 dB SPLrms), based on the threshold observed in European seabass (which is not supported by MMO technical advisors) and notes that this is slightly above the noise levels that are already present. There is no explanation in the report of how the suggested value of 141 dB SELss has been converted to 148 dB SPLrms, or any justification on why it is acceptable to use such a conversion when the noise sources are different (i.e., impulsive vs continuous noise sources). This is needed to contextualise the various SPLrms and SPLpeak values found during the noise monitoring. For example, even if it was appropriate to convert between SPLrms and SELss, it would be useful to understand what the 135 dB SELss would equate to in dB SPLrms and what the statistical noise levels for the 90, 50 and 1 percentiles would equate to in SELss:</p> <ul style="list-style-type: none"> 108.4 dB SPLrms,90 =? dB SELss 112.1 dB SPLrms,50 =? dB SELss 134.3 dB SPLrms,01 =? dB SELss 	<p>The Applicant notes that, as explained in section 2.1.1.3 of Appendix 11.3: Underwater Noise Assessment Technical Report, Volume 4 of the Environmental Statement [APP-149], where a sound is shorter than 1 second, the SEL will be lower than the equivalent SPLRMS. As an example, for a sound of 0.2 seconds duration, the SEL_{ss} will be 7 dB lower than the SPL_{RMS} [-7=10*log(0.2)]. Analysing piling data directly measured by Subacoustech, a rough conversion of 7 dB was calculated between the two values. Kastelein <i>et al.</i>(2017) estimates a very similar 8 dB conversion in their experiment. Applying the suggested conversion above, 135 dB SEL_{ss} would be approximately equivalent to 142 dB SPL_{RMS}.</p> <p>This conversion value is relevant to impulsive piling noise and used to estimate an equivalent value that can be compared to the background noise in its own metrics, which is typically defined in terms of SPL_{RMS}. It is not normally appropriate to define continuous background noise in terms of a 'single strike' SEL, although assuming steady state ambient noise, the conversion between SEL and SPL_{RMS} would be approximately equal. Thus, continuous noise of 108 dB SPL_{RMS} is equivalent to 108 dB SEL (over one second), 112 dB SPL_{RMS} is equivalent to 112 dB SEL (over one second). and so on. It would not be appropriate to consider the extended exposure of greater than one second to low level background noise.</p>												

Ref	Deadline 2 Submission	Applicant's Response
2.6.169	7.1.11 Whilst the MMO agree with the author that a threshold of 141 dB SELss (148 dB SPLrms) is below the threshold of 186 dB SELcum for the onset of TTS in fish, and below the threshold of 210 dB SELss for damage to eggs or larvae (Popper et al. 2014), the key issue aiming to be addressed is determining a suitable threshold for behavioural effects in Black Sea Bream including abandonment of nests by male black seabream, i.e. not physiological damage to fish or damage to eggs and larvae. This comment therefore lacks relevance.	Noted, the Applicant has no further comments on this matter at this time.
2.6.170	7.1.12 One additional note is that the UWN survey reports on background noise levels from continuous noise sources (e.g. shipping, dredging, and general ambient noise) in the Kingmere MCZ and Rampion 2 area. The data does provide a helpful overview of the overall noise levels that black seabream are exposed to during their breeding season. However, it should be understood that continuous noise is not the same type of noise as that generated by impact piling, which is an impulsive noise source. The noise generated by piling would be an addition to the existing background noise levels.	Noted, the Applicant has no further comments on this matter at this time.
2.6.171	<p>Under Water Noise</p> <p>7.1.13 The report attempts to compare different types of noise (i.e., impulsive vs continuous). Throughout the report, the single strike sound exposure level (SELss) is 'converted' to the SPLrms. For example:</p> <ul style="list-style-type: none"> Section 6.2.2: "Noting that these values are SELss, 135 dB is roughly equivalent to 142 dB SPLRMS...." Section 6.2.3: "Therefore 141 dB SELss (approximately equivalent to 148 dB SPLRMS) has been suggested". 	Please refer to response in reference 2.6.168 .
2.6.172	7.1.14 The report notes that " <i>studies into the impact of impulsive underwater noise generally use a different metric to describe the level noise generated, the SELss...This captures well the energy in an impulsive sound but ideally metrics should be compared like-for-like. To provide a more reliable comparison these will be converted to SPLRMS, roughly equivalent to 7 dB greater than an equivalent SELss based on data previously measured by Subacoustech</i> ". Nevertheless, it is not clear how these empirical conversions are being made, and it would be helpful if further contextual clarity was provided. For example, what assumptions have been made regarding the pulse length / number of pulses in 1 minute? (The RMS averaging appears to be done over 1 minute intervals). By definition (see equation shown on page 5, section 3.4), the SEL over 1 second has a value equal to that of the SPLrms. Therefore, if there was one single pulse per second, the SELss and SPLrms would have similar values. Conversely, if SPLrms has higher values than SELss, this implies that there are multiple pulses within 1 second. While this is very plausible in some contexts (e.g., vibropiling noise), it is unlikely to be the case for impact piling	Please refer to the Applicant's response in reference 2.6.168 . The Applicant welcomes the interest in the intricacies of acoustic calculations. In simple terms, where sounds are shorter than 1 second, the SEL will be lower than the SPL _{RMS} . The duration of the majority of the energy passing in one piling pulse will be much less than 1 second over any distance relevant to this project (sounds tend to 'spread' and get longer at great distances). A single pile strike will therefore have a lower SEL than SPL _{RMS} . A continuous sound (e.g. background noise) of 1 second duration will have SPL _{RMS} ≈ SEL. Both the SPL _{RMS} and SEL are calculated over the duration of a pulse.
2.6.173	7.1.15 Furthermore, the MMO would argue that it is not entirely appropriate to apply such conversions to noise thresholds (such as the 135 dB SELss) as this further	The Applicant agrees that every effort should be made to compare any two items in the same metric. As the SEL _{ss} is intended to describe a 'single strike' or impulse, this is not

Ref	Deadline 2 Submission	Applicant's Response
	removes them from their relevant biological context. The best practice for comparing with such thresholds would be to express the generated noise levels (or the measured noise levels, if feasible) in the metric of the thresholds.	really suitable for measuring background noise, hence the conversion to SPL _{RMS} . However, as noted in response 2.6.172, the sound exposure level of a continuous noise (e.g. background noise) is approximately equivalent to the SPL _{RMS} . Therefore the 1 second SEL of the underlying background noise (see ref 2.6.168) is approximately 108.4 dB SEL, or approximately 134.3 dB SEL for 1% of the time. However this is not the recommended use of the SEL metric.
2.6.174	7.1.16 The MMO also find the report somewhat misleading in parts. Section 6.2.3 states that “Therefore 141 dB SELs (approximately equivalent to 148 dB SPLRMS) has been suggested. It is slightly above the noise levels that are already present (the baseline monitoring showed that pre-existing noise levels are seen to exceed 140 dB and occasionally reach up to 148 dB)....”. Earlier on, in the Executive Summary, the report also notes that “The 2023 results support the findings of the 2022 survey and demonstrate that noise levels varied generally between 105 dB and 125 dB SPLRMS, although regularly exceeded 135 dB SPLRMS and exceedance of 140 dB SPLRMS was not unusual”. When the MMO look at the figures provided in Appendix A (showing the one-week data summaries), the noise levels only occasionally (and very briefly) exceed 135 dB SPLrms and on some days do not reach this level at all.	The Applicant maintains that the text within the document is an accurate reflection of the range of noise levels recorded during the survey and notes that the text makes no reference to duration, simply noting that the relevant sound levels are exceeded on multiple occasions.
2.6.175	7.1.17 While these exceedances appear ‘regular’ when seen over a 6-month interval (Figure 5.1 on page 10 of the report), the situation is very different when comparing to the piling noise and the associated timescales. While the ambient noise may exceed 135 dB SPLrms for a few minutes per day (e.g., roughly 1% of the time, according to Table 6.1), impact piling will be undertaken for (potentially) hours at a time (and noise levels might presumably exceed 135 dB rms for the entire duration of piling).	This is noted by the Applicant, however, as the purpose of this data is primarily to inform the potential for behavioural effects, it is clearly relevant to note that these sound levels are exceeded and so would not be unusual for the black seabream to experience, reducing the likelihood of a consequent behavioural response.
2.6.176	7.1.18 Mitigation is not specifically discussed in detail in the report. Of relevance, section 6.2.2 of the document states that “To minimise adverse impacts from piling affecting bream in the Kingmere MCZ, noise reduction should be applied that reduces the risk of avoidance behaviour. As stated above, no criteria are available that can characterise this specific scenario, so previous studies carried out for this Project have referred to research based on similar species (sea bass, red seabream) to make a recommendation for a noise limit at the Kingmere MCZ that can be met using commercially available noise abatement systems for piling as Best Practicable Means”.	Noted, the Applicant has no further comments on this matter at this time.
2.6.177	7.1.19 We previously advised that the actual (noise) reduction in dB will depend on the site conditions at Rampion 2, and the source spectra. Frequency is an important component to consider. The efficacy of a noise abatement system to reduce the risk of impact depends on the frequency range at which sound energy is reduced and on the target species, as each species is sensitive to a certain frequency range. Fish, for example, are typically more sensitive to sound at low frequencies, where the noise reduction from noise abatement systems tends to be smaller (See MMO S56 Response).	Whilst this point is noted, the Applicant would refer to Bellmann <i>et al</i> (2020) Figure 32, which shows the effectiveness of a bubble curtain to be in excess of 15 dB for all frequencies above the very low 32 Hz band. At the 125 Hz band, where the majority of noise from piling tends to occur, their performance is recorded to be even greater than this.

Ref	Deadline 2 Submission	Applicant's Response
2.6.178	<p>7.1.20 The MMO recommended modelling the effect of noise abatement so that the regulator is aware of the risk reduction options available. It should be clear in the assessment which noise abatement measures, or combinations of measures, are being modelled. Ultimately, to determine the efficacy of such systems at Rampion 2, evidence will be required in the form of measurements of piling noise with and without noise abatement. The MMO understands that the Black Sea Bream spawning (nesting) season is March to July. Therefore, the MMO would recommend obtaining measurements of non-abated piling outside of this window.</p>	<p>The Applicant confirms that modelling of the effects of noise abatement measures have been undertaken; the modelling outputs and the potential technologies proposed to achieve these attenuations are provided in the In Principle Sensitive Features Mitigation Plan [APP-239] (updated at Deadline 3).</p>
2.6.179	<p>7.1.21 The report does not present any new information as such relating to the thresholds for black bream. As the report notes, adult European seabass displayed an initial startle response between 141 dB SELss (single strike sound exposure level) and 147.4 dB SELss, which was short-lived (i.e. less than two minutes) at 141 dB SELss. The Applicant maintains that the selection of the lower value of these – 141 dB SELss – is recommended as a reasonable precautionary threshold. The MMO has suggested the use of a lower 135 dB SELss threshold, which was reported as leading to a behavioural reaction in sprat in a quiet inland environment.</p>	<p>Please refer to the Applicant's response in reference 2.6.164 above.</p>
2.6.180	<p>7.1.22 The MMO note that the Applicant is of the opinion that the 135 dB SELss threshold is not only relevant to a much more sensitive species and derived from a different environment, it is also expected to be difficult to achieve across the Rampion 2 Order Limits, practically, even with two methods of direct noise mitigation (such as a double bubble curtain and attenuated hammer). Therefore 141 dB SELss has been suggested. However, the MMO maintain that the threshold of 135 dB SELss, as per Hawkins et al., (2014), should be used as a precautionary approach to modelling.</p>	<p>The Applicant directs the MMO to the response in reference 2.6.164 above, which details the Applicant's reasoning for not using the 135dB SELss threshold to inform the impact assessment. To summarise, the 135dB SELss threshold is not considered relevant and is not supported in the literature for use in impact assessments and, nor are the results of the study applicable to a more industrialised part of the sea with much higher background noise levels.</p>

Table 4-7 Applicant's Response to National Highways' Deadline 2 Submission

Ref	National Highways Comment	Applicant's Response									
2.7.1	This letter responds to the Examining Authority (ExA) Rule 8 letter dated 7 February 2024 and Deadline 2 (20 March 2024) required actions as set out on the PINS Rampion 2 webpage.	Noted, the Applicant has no further comments on this matter at this time.									
2.7.2	National Highways is the government owned company which operates, maintains and improves the Strategic Road Network (SRN) as the strategic highway company appointed under the provisions of the Infrastructure Act (2015) and in accordance with the Licence ¹ issued by the Secretary of State for Transport. National Highways is a statutory consultee to the planning process. It has a specific obligation to deliver economic growth through the provision of a safe and reliable SRN, in line with the provisions set out in DfT Circular 01/2022: The strategic road network and the delivery of sustainable development ² . 1 Highways England: licence (publishing.service.gov.uk) 2 Strategic road network and the delivery of sustainable development - GOV.UK (www.gov.uk)	Noted, the Applicant has no further comments on this matter at this time.									
2.7.3	National Highways met regularly with the Applicant's transport consultants during the pre-application period and these meetings are continuing during the examination period. As the Panel are aware from National Highway's Relevant Representations and PADS and participation at the Preliminary Meeting and Issue Specific Hearing (Environmental Matters), National Highways has identified the high-level impacts of the proposed development on the SRN generally and the location of some of the more detailed impacts. However, further details on various matters are still required from the Applicant in order for the Applicant to demonstrate compliance with national policy, particularly that set out in DfT Circular C1/2022.	The Applicant acknowledges the comment from National Highways and confirms that meetings have been held regularly with National Highways during the pre-application phase continuing into Examination. The Applicant is continuing to engage with National Highways with the aim to resolve any outstanding concerns and ensure compliance with national policy including that set out in the Department for Transport (DfT) Circular C1/2022 before the end of the Examination phase.									
2.7.4	Appendices; • Appendix 1 provides National Highways responses with regards the Deadline 1 requirements	The Applicant has provided responses to Appendix 1 in reference 2.7.6 below.									
2.7.5	In conclusion, given the outstanding issues summarised above, National Highways is not yet satisfied that the Applicant's proposals appropriately address National Highways' concerns and requirements to ensure the safety, reliability and operational efficiency of the SRN is safeguarded as required by national planning and transport policy. However, National Highways remain keen to resolve the concerns raised and commit to working with all parties to do so.	The Applicant is continuing to engage with National Highways with the aim to resolve any outstanding concerns before the end of the Examination phase.									
2.7.6	<table border="1"> <thead> <tr> <th>ExA Required Action</th> <th>National Highways Response</th> <th>Applicant's response</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> Responses to WRs Responses to LIRs Responses to any written questions arising from OFH1 and/or ISH1 (if required) <p>Comments on any further information/submissions received by Deadline 1</p> </td> <td>National Highways Relevant Representations and PADS dated 3 November 2023 set out National Highways comments on Rampion 2 submissions up to that date.</td> <td>Noted, the Applicant has no further comments on this matter at this time.</td> </tr> <tr> <td></td> <td>At Deadline 1 National Highways noted the various submissions made since 3 November 2023. National Highways had no comments at this time but asked the ExA to note that various of the documents,</td> <td>Noted, the Applicant has no further comments on this matter at this time.</td> </tr> </tbody> </table>	ExA Required Action	National Highways Response	Applicant's response	<ul style="list-style-type: none"> Responses to WRs Responses to LIRs Responses to any written questions arising from OFH1 and/or ISH1 (if required) <p>Comments on any further information/submissions received by Deadline 1</p>	National Highways Relevant Representations and PADS dated 3 November 2023 set out National Highways comments on Rampion 2 submissions up to that date.	Noted, the Applicant has no further comments on this matter at this time.		At Deadline 1 National Highways noted the various submissions made since 3 November 2023. National Highways had no comments at this time but asked the ExA to note that various of the documents,	Noted, the Applicant has no further comments on this matter at this time.	
ExA Required Action	National Highways Response	Applicant's response									
<ul style="list-style-type: none"> Responses to WRs Responses to LIRs Responses to any written questions arising from OFH1 and/or ISH1 (if required) <p>Comments on any further information/submissions received by Deadline 1</p>	National Highways Relevant Representations and PADS dated 3 November 2023 set out National Highways comments on Rampion 2 submissions up to that date.	Noted, the Applicant has no further comments on this matter at this time.									
	At Deadline 1 National Highways noted the various submissions made since 3 November 2023. National Highways had no comments at this time but asked the ExA to note that various of the documents,	Noted, the Applicant has no further comments on this matter at this time.									

Ref	National Highways Comment	Applicant's Response
	<p>contained details or proposals that will need to be reviewed by National Highways in the light of the further submissions to be made by the Applicant in response to National Highways concerns and requirements.</p> <p>Therefore, National Highways requested to be heard as considered appropriate and necessary by the ExA with regards any of the submissions set out above or subsequently identified as relevant to safeguarding the safety, reliability and/or operation of the Strategic Road Network during the course of the Examination.</p> <p>We have now also reviewed all submissions by all parties between Deadline 1 and Deadline 2. Those including matters relating to traffic and transport covering the A27 and wider Strategic Road Network include:</p> <ul style="list-style-type: none"> • Rampion 2 • West Sussex County Council • South Downs National Park • Natural England • Susan Davies <p>Our comments remain the same in that various documents potentially contain matters that National Highways would wish to comment upon but only once our key concerns and requirements have been addressed and agreed. At this point we will be able to provide fully contextual comments on other matters. Example updated documents include:</p> <ul style="list-style-type: none"> • Rampion 2 Wind Farm Date: February 2024 Revision A Category 6: Environmental Statement Volume 2, Chapter 32: ES Addendum • Rampion 2 Environmental Statement Volume 4, Appendix 23.2: Traffic Generation Technical Note assessment (tracked changes) Date: February 2024 Revision B • Outline Construction Traffic Management Plan (tracked changes) Date: February 2024 Revision C <p>National Highways also notes that many of the proposed updates and additions made by Rampion 2 will require the comments and agreements of West Sussex County Council and others as they affect the access and routing to various parts of the cable route. National Highways will need to be involved in these conversations in order to then be able to assess any implications of any changes to routing, timing, form and frequency of construction, operational</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p> <p>Noted, the Applicant has no further comments on this matter at this time.</p> <p>Noted, the Applicant has no further comments on this matter at this time.</p> <p>The Applicant acknowledges the comment from National Highways and continues to also engage with West Sussex County Council and others affected by access and routing of the onshore cable route to ensure that matters are addressed holistically.</p>

Ref	National Highways Comment	Applicant's Response
<ul style="list-style-type: none"> ● Applicant's Mid-examination Progress Tracker ● Applicants National Policy Statement Tracker ● Applicant's first update to the draft DCO ● Applicant's first update to the Land Rights Tracker ● Applicant's first update to the Guide to the Application ● Applicant's first update to the Statements of Commonality of Statements of Common Ground ● Applicant's draft itinerary for the ASI (if required) ● Any other updated documents and statements from the Applicant deemed necessary following its responses at Deadline 1 	<p>and/or decommissioning traffic. Hence these matters need to be addressed holistically and jointly.</p> <p>With regards National Highways own RRs and PADS, we continue to engage with Rampion 2 to address our concerns and requirements.</p> <p>Engagement since Deadline 1 have comprised:</p> <ol style="list-style-type: none"> 1. Receipt of proposals regarding access to compounds off the A27. These are being assessed for DMRB compliance etc and responses will be provided shortly. 2. Some engagement regarding the trenchless crossing of the A27 at Hammerpot, but details have yet to be submitted. (Items 1 & 2 also will involve other assessments such as drainage etc) 3. Some engagement regarding Protective Provisions and related legal, land and property matters, but no details or DCO updates have yet been provided. In this context we also note the submissions from Network Rail and similar statutory undertakers with regards the need for Rampion 2 to amend their DCO to fully reflect the approaches required by National Highways and similar organisations. 	<p>The Applicant is continuing to engage with National Highways with the aim to resolve any outstanding concerns and requirements before the end of the Examination phase.</p> <p>The Applicant has provided National Highways with conceptual junction designs on the 29 February 2024 and awaits feedback on them which the Applicant understands will be forthcoming shortly.</p> <p>The Applicant provided the Statement of Intent to National Highways in April 2024. The Applicant will await comments from National Highways.</p> <p>The Applicant has provided comments on the draft Protected Provisions though has not received a response from National Highways.</p>
<ul style="list-style-type: none"> ● Applicant's Mid-examination Progress Tracker ● Applicants National Policy Statement Tracker ● Applicant's first update to the draft DCO ● Applicant's first update to the Land Rights Tracker ● Applicant's first update to the Guide to the Application ● Applicant's first update to the Statements of Commonality of Statements of Common Ground ● Applicant's draft itinerary for the ASI (if required) ● Any other updated documents and statements from the Applicant deemed necessary following its responses at Deadline 1 <p>Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010</p>	<p>N/A</p> <p>N/A</p>	<p>Noted, the Applicant has no further comments on this matter at this time.</p> <p>Noted, the Applicant has no further comments on this matter at this time.</p>

5. Applicant's Response to specific Affected Parties and Businesses Deadline 2 Submissions

Table 5-1 Applicant's response to Stewart Dench's Deadline 2 submission [REP2-069]

Ref	Deadline 2 submission	Applicant's response
2.2.1	I am writing regarding RWE's proposed Rampion 2 offshore wind farm and 40km cable track across the South Downs and through our local countryside communities to the substation at Oakendene Farm, near Cowfold.	The Applicant has no further comments on this matter at this time.
2.2.2	While I am a supporter of renewable energy, including wind farms, I am very concerned about the onshore environmental impact of the scheme and on that of local communities, particularly during the building of the infrastructure.	<p>The Applicant welcomes the support for renewable energy and wind farms and recognises the concern about the onshore environmental impacts of the Proposed Development. The Applicant has undertaken an Environmental Impact Assessment (EIA) which considers and assesses the likely significant effects of the Proposed Development including during the construction phases. The Environmental Statement (ES) Volume 2 of the ES [APP-042 to APP-072], and Volume 4 of the ES [APP-120 to APP-222], reports the findings of the EIA. The ES also provides information about the Proposed Development including its context, a full description of the Proposed Development and its construction, the main alternatives considered, the consultation process that was part of the EIA, and any relevant technical information that has been used to assess the likely significant effects of the Proposed Development. The ES and includes a series of chapters that consider and assess the likely significant effects of the Proposed Development in relation to each relevant environmental aspect. These include the following onshore environmental aspect chapters:</p> <ul style="list-style-type: none"> • Chapter 17: Socio-economics, Volume 2 of the ES [APP-058]; • Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP059]; • Chapter 19: Air quality, Volume 2 of the ES [APP-060]; • Chapter 20: Soils and agriculture, Volume 2 of the ES [APP-061]; • Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018]; • Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]; • Chapter 23: Transport, Volume 2 of the ES [APP-064]; • Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020]; • Chapter 26: Water environment, Volume 2 of the ES [APP-067]; • Chapter 28: Population and human health, Volume 2 of the ES [APP-069] (including effects from exposure to electromagnetic fields); and • Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]. <p>There have been opportunities for the development of environmental measures which have been adopted to reduce the potential for environmental impacts and effects. These were included directly into the design of the Proposed Development as embedded environmental measures and are detailed in the Commitments Register [REP1-015] (updated at Deadline 3). The Commitments Register was initially presented in the Scoping Report and subsequently updated throughout the Statutory Consultation exercises and in the Environmental Statement to reflect design evolution and consultation feedback. Further to this, a number of management plans have been included in the DCO Application such as Outline Code of Construction Practice [PEPD-033] which provide the details of the proposed embedded environmental measures to manage onshore effects during the construction phase and is secured by Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>

Ref	Deadline 2 submission	Applicant's response
2.2.3	<p>I am also very concerned about the lack of engagement by RWE since we became aware of the Rampion 2 proposal. As a household that is within 30 metres of the proposed route we were not consulted by RWE or Carter Jonas and it was only after many attempts that they acknowledged our interest. The quality of the information provided in their information pack is very high level and lacking in detail. I have submitted questions on 3 separate occasions between July and December 2023 and have not received a response or even an acknowledgement. The level of consultation by RWE has been very poor and some of the timescales presented to residents have been very tight.</p>	<p>Plot 29/22 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.</p> <p>The Land Interest has a Category 2 Interest in relations to rights in respect of legal easements in Plot 29/22.</p> <p>The Applicant understands that the Knapp Drive housing development (“The Meadows”) was completed during the early part of 2023, with the Affected Party purchasing their property in June 2023. The Affected Party first contacted the Applicant in late June 2023 notifying the Applicant that they had purchased the property (in advance of the Land Registry website being updated).</p> <p>Email correspondence was exchanged between the Affected Party and the Applicant in July 2023, with a Section 42 Consultation Pack submitted to the Affected Party in August 2023.</p> <p>A Section 56 Notice was submitted to the Affected Party in September 2023.</p>
2.2.4	<p>I note that my concerns are very similar to those raised by Andrew Griffith, Member of Parliament, in his letter of September 2023.</p>	<p>The Applicant has provided a response to the concerns raised by Andrew Griffiths, please see Table 3-19 in Deadline 1 Submission – 8.24 Applicant’s Response to Relevant Representations [REP1-017] submitted at Deadline 1.</p>
2.2.5	<p>I would also question whether Rampion 2 and the proposed overland cable motorway is the best approach. Have other routes and approaches been considered? For example, have underseas cable routes been considered which would have much less impact on local communities?</p>	<p>Chapter 3: Alternatives, Volume 2 of the Environmental Statement (ES) [APP-044] 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 effects. The chapter explains the reasonable alternatives considered for the onshore and offshore 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). At each stage in the evolution of the Proposed Development, options were appraised utilising a multi-disciplinary team that considered environmental, social and local communities, engineering, land interests, and cost.</p> <p>The design evolution and environmental impact assessment (EIA) process spanned a number of years as is usual for nationally significant infrastructure projects. Six potential grid connections onshore stretching from Ninfield in the east to Fawley in the west were then identified and an options appraisal process was undertaken by the Applicant alongside the National Grid Connection and Infrastructure Options Note (CION) process. The process left three options for the grid connection location. Six potential landfall options were also identified and an options appraisal was conducted which examined the possible combinations of landfall to the three remaining grid connection points. This is shown on Chapter 3: Alternatives – Figures, Volume 3 of the ES [APP-075]. This process included the National Grid CION process and options appraisal both found the existing National Grid Bolney substation to best meet the National Grid Energy System Operator’s obligation to provide an economic and efficient grid connection, due to the lower constraint and construction costs when compared to the other grid connection options appraised during the early high level options appraisal process. The grid connection identification and subsequent offshore cable route selection are detailed within Section 3.3 and Section 3.5 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</p> <p>The Applicant has previously provided responses regarding the alternatives considered as part of the Proposed Development, for key responses please see:</p>

Ref	Deadline 2 submission	Applicant's response
2.2.6	<p>During the construct phase I am extremely concerned about the impact on the local roads caused by HGVs. The local roads in and around Partridge Green, Cowfold and including Kent Street are very busy and already in poor condition and the addition of large numbers of HGVs will have a significant impact on the traffic levels, air quality and the road infrastructure condition. I am led to understand that there may be 1320 HGV and 828 LGV movements per week, which would be unsustainable in our community and lead to significant problems for the locals as well as damaging the local wildlife habitat and countryside</p>	<ul style="list-style-type: none"> • References 2.3.5, 2.24.2, and Table 6-4 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; • The Applicant has set out the further information on reasons for discounting grid connections at Fawley and Dungeness in Deadline 1 Submission – 8.25.1 Applicant's Post Hearing Submission Issue Specific Hearing 1 Appendix 1 – Further information for Action Point 3 – Fawley and Dungeness [REP1-019]. • References 2.1.2, 2.1.3, and 2.8.10 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] submitted at Deadline 2; and • References 2.7.1 and 2.19.1 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Members of the Public and Businesses' Written Representations [REP2-029] submitted at Deadline 2. <p>The assessment of effects of the Proposed Development on the transportation infrastructure, including the strategic and local road network, Public Rights of Way, Sustrans national cycle network, has been undertaken in Chapter 32: ES Addendum of the Environmental Statement (ES) [REP1-006] (submitted at Deadline 1) and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] which has been updated at the Deadline 3. Environmental measures will be implemented to manage the potential effects from construction traffic. These are detailed in the Commitments Register [REP1-015] (updated at Deadline 3) and are secured in the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), Outline Construction Workforce Travel Plan [APP-229] (updated at Deadline 3), Outline Public Rights of Way Management Plan [APP-230] (updated at Deadline 3) secured through Requirements 24 and 20 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Outline Construction Traffic Management Plan [REP1-010] which has been updated at Deadline 3:</p> <ul style="list-style-type: none"> • <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 such as Storrington, Cowfold, Steyning, Wineham, Henfield, Woodmancote and other smaller settlements where possible. For Cowfold, this means that HGVs will only route through the village centre for trips related to accesses A-56 and A-57 or where use of local sourced materials / equipment makes its avoidance impracticable; and</i> • <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. This means that HGVs will only route through the village centre for trips related to accesses A-56 and A-57 or where use of local sourced materials / equipment makes its avoidance impracticable.</i> <p>These commitments are also reflected in Table 5-1 of the Outline Construction Traffic Management Plan [REP1-010] (updated at the Deadline 3) 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. For Cowfold, this means that HGVs will only route through the village centre for trips related to accesses A-56 or A-57 or where use of locally sourced materials / equipment make its avoidance impracticable. As calculated by using data included in Table 5-3 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the implementation of this commitment will remove up to 23,000 two-way HGV trips (11,500 HGVs) from Cowfold Village centre over the construction phase.</p>

Ref	Deadline 2 submission	Applicant's response
		<p>At peak construction, taking account of the construction traffic routing contained within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the impacts listed below have been identified for Cowfold. This information responds to Action Point 17 arising from Issue Specific Hearing 1 [EV3-2020]:</p> <ul style="list-style-type: none"> • At A281 south of Cowfold (Receptor 23): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 12 HGVs per day, equivalent to an increase of 7.5% and approximately one HGV per hour; and ▶ 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. • The A281 / A272 in the centre of Cowfold (Receptor 24): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 3.5% and 3-4 HGVs per hour; and ▶ 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. • The A272 Station Road west of Cowfold Village centre (Receptor 25): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 4.6% and 3-4 HGVs per hour; and ▶ 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. • The A272 Bolney Road east of Cowfold Village centre (Receptor E): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 5.5% and 3-4 HGVs per hour; and ▶ 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>The impacts of the Proposed Development on Kent Street have been assessed within Chapter 32: ES Addendum, Volume 2 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. As a result, a traffic management plan for Kent Street has been produced at Deadline 3, see Outline Construction Traffic Management Plan [REP1-010]. This would then be secured through a detailed CTMP for the stage of the authorised development comprising Kent Street, identified through the stage programme to be submitted and approved under Requirement 10 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). This 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 Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>Chapter 19: Air quality, Volume 2 of the ES [APP-060] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] presents an assessment of air quality impacts from construction traffic. The assessment concludes that the Proposed Development will not result in significant effects 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) concludes that there are no significant effects, see Section 19.14 in Chapter 19: Air quality, Volume 2 of the ES [APP-060] and Chapter 3 in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006].</p>

Ref	Deadline 2 submission	Applicant's response
2.2.7	<p>The questions that I have raised previously are: I would like to understand:</p> <ul style="list-style-type: none"> - in detail what works are proposed in the field opposite us. - how close to our property will the works be? - whether the cables will be underground and if so to what depth? - are there any safety or health concerns associated with the installation? - are there any future restrictions for the land where the cable is to be installed? - are house or other developments permitted on or adjacent to the land where the installation is located? - what is the period of disruption during the installation? - what will be visible or audible post installation? - what are the operating days and hours for the contractors during the installation? - how will we be kept informed during the planning and installation phases 	<p>Terrestrial ecology including local wildlife habitats have been considered within a series of documents that address the potential effects for onshore and offshore ecology and habitats, please see Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063] and the supporting appendices to this chapter: Appendix 22.2: Terrestrial ecology desk study, Volume 3 of the ES [APP-180] to Appendix 22.17: Bat and tree ground level visual assessment survey report, Volume 3 of the ES [APP-195]. The ES assessments undertaken have concluded that no significant effects on terrestrial ecology or ornithology are likely to occur as a result of the Proposed Development alone or with other relevant projects or plans taking account of environmental measures embedded into the design of the Proposed Development. Similarly, the Habitats Regulations Assessment (Without Prejudice) Derogation Case [APP-039] concludes that there will be no adverse effect to any of the protected sites or their designated features assessed.</p> <p>The Applicant has also previously provided responses regarding the potential transport effects to Partridge Green, Cowfold, and Kent Street in Table 3-1 below.</p> <p>The proposed cable route will be laid in the field to the West of the Affected Party approximately 50m from the edge of the Affected Party's property. The proposed cable route will be buried to a minimum depth of 1.2m underground. Commitment C-29 (Commitments Register [REP1-015] updated at Deadline 3) specifies the cable burial and cover to a depth of 1.2m and is detailed in the Outline Construction Method Statement [APP-255], this is secured through Requirement 23 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>Paragraph 2.3 of the Outline Code of Construction Practice [PEPD-003]: 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.</p> <p>The cables will be installed within the cable construction corridor and further to construction the permanent easement (typically a 20m width easement) will be put in place. There are various restrictions such as no building over the easement strip or planting of trees. Development is not restricted on land adjacent to the cable easement.</p> <p>Section 4.4 of the Outline Code of Construction Practice [PEPD-033] details the periods of works / operating working hours.</p> <p>There will be nothing visible or audible post the cable installation, with the exception being if a cable joint bay is located in the field opposite the Affected Party's property. The locations of the joint bays will be determined during the detailed design phase. Typically, they are located every 750 to 950m however the location depends on factors such as needing to avoid surface features, crossings and bends (see Section 4.5 in Chapter 4: The Proposed Development, Volume 4 of the Environmental Statement (ES) [APP-045]). As detailed in Section 4.8 of Chapter 4: The Proposed Development, Volume 4 of the ES [APP-045], 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> <p>Section 2.6 within the Outline Code of Construction Practice [PEPD-033] provides an overview of the community liaison approach during the construction phase in and states that the Applicant will produce a Construction</p>

Ref	Deadline 2 submission	Applicant's response
		<p>Communications Plan prior to the commencement of construction for approval with the relevant planning authorities and this will be secured through Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The Construction Communications Plan will:</p> <ul style="list-style-type: none"> • outline the Proposed Development; • build on stakeholder engagement carried out throughout development to strengthen relationships with key stakeholder organisations and individuals, alongside the wider community; • identify a range of communication tools, methods and opportunities to reach this target audience and enable them to reach the construction team; • include a range of communication materials designed to reach the target audience; • include a series of tailored Communication and Mitigation Plans to provide more detail for local communities along the 38.8km onshore cable route; and • produce dedicated Communications Plans for special interest user groups, such as fishers, diver and public rights of way users; and set out the complaints procedure.
2.2.8	<p>As stated, I have not received answers to my questions. We would be very concerned about the hours of operation and would expect that the hours of construction, construction traffic and any drilling would be strictly controlled and monitored. We would expect that these operations would be limited to say 08.30 to 17.30 Monday through Saturday with no activity overnight or during Sunday and Bank Holidays. These restrictions must also extend to the use of equipment such as generators and lighting as our neighbourhood is deemed to be a dark site.</p>	<p>Working hours are stated in Section 4 of Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES) [APP-045] and are outlined in Section 4.4 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). Following receipt of Relevant Representations and information shared at Issue Specific Hearing 1, commitment C-22 within the Commitments Register [REP1-015] has been updated at the Deadline 1 and Deadline 3 to the following:</p> <p><i>'Core working hours for construction of the onshore components will be 08:00 to 18:00 Monday to Friday, and 08:00 to 13:00 on Saturdays, apart from specific circumstances that are set out in the Outline COCP, where extended and continuous periods of construction are required.'</i></p> <p><i>Prior to and following the core working hours Monday to Friday, a 'shoulder hour' for mobilisation and shut down will be applied (07:00 to 08:00 and 18:00 to 19:00). The activities permitted during the shoulder hours include staff arrivals and departures, briefings and toolbox talks, deliveries to site and unloading, and activities including site and safety inspections and plant maintenance. Such activities shall not include noise generating activity including use of heavy plant or activity resulting in impacts between objects resulting in loud noises, ground breaking or earthworks.'</i></p> <p>This has been updated in the Outline Construction Traffic Management Plan [REP1-010] updated at the Deadline 3 and has been updated in the Outline Code of Construction Practice [PEPD-033] at Deadline 3.</p> <p>As outlined in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), no activity outside these hours (including Sundays, public holidays, or bank holidays) will take place apart from under the following circumstances:</p> <ul style="list-style-type: none"> • Where continuous periods (up to 24 hours, 7 days per week) of construction work are required for HDD (as HDD is a continuous activity that cannot be paused once started); • for other works requiring extended working hours such as concrete pouring which will require the relevant planning authority to be notified at least 72 hours in advance; • or the delivery of abnormal loads to the connection works, which may cause congestion on the local road network, and will require the relevant highway authority to be notified at least 72 hours in advance; or • as otherwise agreed in writing with the relevant planning authority.

Ref	Deadline 2 submission	Applicant's response
2.2.9	<p>The consultation process to date, organised by the applicant (Rampion) has failed to discuss issues regarding access to the existing infrastructure. The issues raised above highlight the fact that considerable and extensive planning is still required to ensure that the proposed development process mitigates disruption as far as possible and will prove practical</p>	<p>The Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) and embedded environmental measures therein is secured in requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). Stage specific Codes of Construction Practice will be produced by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with this Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) for approval of the relevant planning authority, prior to the commencement of that stage of works.</p> <p>The Applicant undertook a range of statutory and non-statutory consultations including both in-person events and online consultations in which it engaged with the wider public as set out in the Consultation Report [APP-027]. The project has been subject of multiple rounds of iterative consultation with local people and environmental authorities (through statutory and non-statutory consultation as detailed in Section 5.9 of Chapter 5: Approach to the EIA, Volume 2 of the Environmental Statement [APP-046]). This process, and evidence of regard had to consultation responses, is set out in the Consultation Report [APP-027].</p> <p>During each Statutory Consultation, the Applicant's consultation materials included a combination of both simplified plans to enable consultees to review draft proposals in relation to their geographical area of interest, while also providing more technical and detailed Onshore Work Plans [PEPD-005].</p> <p>During each Statutory Consultation, the Applicant's environmental information provided a full account of the effects of draft proposals on the environment and communities and outlined mitigation proposals. This was set out in the consultation materials for each consultation, as follows:</p> <ul style="list-style-type: none"> • Statutory Project-Wide Consultation, July-September 2021 as set out in the Preliminary Environmental Information Report (PEIR) (Rampion Extension Development Limited, 2021); • Reopened Statutory Project-Wide Consultation, February – April 2022 as set out in the PEIR (RED, 2021); • Statutory Onshore Consultation, October – November 2022 as set out in the PEIR Supplementary Information Report (SIR) (RED, 2022); and • Targeted Onshore Consultation, February – March 2023 as set out in the PEIR Further Supplementary Information Report (FSIR) (RED, 2023). <p>The proposed onshore substation site is 1km from the village of Cowfold, Horsham District. As set out in the Consultation Report [APP-027], there has been numerous rounds of statutory and non-statutory consultation included notices, advertisements and leaflets around the onshore cable route, including the village of Cowfold.</p> <p>The Applicant has held extensive rounds of public consultation where local residents were able to provide feedback on the proposals. Additionally, the Applicant attended a public Q&A session organised by the Parish Council in November 2022, and hosted a public information event in June 2023. Further to this public consultation, the project team held a dedicated public event on 21 June 2023 for the Cowfold community, close to the onshore substation site at Oakendene. The public information event (June 2023) was attended by 140 people and responded to concerns about the level of engagement. The Cowfold Information Event was advertised on posters locally, on community Facebook pages and through a targeted maildrop to everyone within 1km of the onshore substation site at Oakendene and the main Cowfold conurbation. The Parish Council also helped promote the event and attended in person.</p> <p>Further information on public consultation and engagement with the local community can be found within Section 3.4 of the Consultation Report [APP-027].</p>

Ref	Deadline 2 submission	Applicant's response
		<p>The consultation procedure undertaken by the Applicant for Rampion 2 has met the requirements for consultation that are specified in the Planning Act 2008 as confirmed by the acceptance of the DCO Application. Further information on the consultation undertaken by the Applicant can be found in the Consultation Report [APP-027].</p> <p>For further information please see Appendix 15: Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 (Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1).</p>
2.2.10	<p>We recommend that the Planning Inspectorate instates a programme of detailed, unbiased evaluation of alternatives before any final decision is reached. Without an appropriate plan and support from local communities this project will not work.</p>	<p>The Applicant has no further comments on this matter at this time.</p>

Table 5-2 Applicant's Response to Vodafone's Deadline 2 Submission [REP2-072]

Ref	Deadline 2 Submission	Applicant's Response
	<p>Please accept this email as confirmation that Vodafone: Fixed does have apparatus within the vicinity of your proposed works detailed below.</p> <p>Please see attached network information.</p> <p>Please note that according to our records there is leased and/or third party network within your proposed works. However, because the plant is leased/third party we strongly recommend you contact all other utility providers to gather the extent of services within that area. Unfortunately, we are unable to advise who the plant is leased to or who the third party is.</p>	<p>Vodafone does not directly own or occupy land and is not included in the book of reference. Utilities with land interests included in the book of reference have been contacted by the Applicant at the different consultation stages. The Applicant has also identified utility assets along the onshore cable route as set out in Appendix A: Crossing Schedule of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). The Outline Construction Method Statement [APP-255] which forms part of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) states at 2.9:</p> <p><i>“2.9 Utilities 2.9.1 All utility providers that are potentially affected will be contacted and the location of existing services accurately identified on the ground prior to construction or intrusive ground investigations. 2.9.2 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. 2.9.3 All utility crossings will be undertaken in accordance with standards agreed with the utility owner/operator.”</i></p> <p>The Applicant would carry out works in accordance with The National Joint Utilities Group (NJUG - http://streetworks.org.uk/resources/publications/) and Health and Safety Executive Guidance (HSG47 – Avoiding Danger from Underground Services) which would be adhered to across all onshore construction works. Safe working practices would be deployed, and the Applicant would typically:</p> <ul style="list-style-type: none"> • Carry out advanced Ground Penetrating Radar (GPR) (non-intrusive) survey to confirm position of service(s) to inform design. • Conduct hand dug inspection pit to physically locate the service(s) present. This may be done to further inform the detailed design or at the construction stage. • Any temporary support of service(s) to be confirmed and agreed with asset owner prior to construction. • Cable Avoidance Tool (CAT) and genny scan to be conducted by competent person and assets clearly marked out. • Permit to dig to be issued prior to breaking ground. • Excavations to be progressed slowly around known service(s) with CAT scanning to be carried out at specified intervals/depths. • Restricted zone to be put in place around any excavation to prevent unauthorised access. <p>To ensure appropriate protection, communications assets crossings will be managed by the Applicant in accordance with the draft protected provisions in the Draft Development Consent Order [REP2-002] (updated at Deadline 3). If further measures are required by the asset owner these would be discussed and agreed during the consultation process (involving the Applicant's principal contractor).</p>

6. Applicant's response to themed Affected Parties, and Members of the Public and Businesses Deadline 2 Submissions

Table 6-1 Applicant's themed response to Transport

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-045 REP2-051 REP2-052 REP2-053 REP2-054 REP2-056 REP2-058 REP2-059 REP2-061 REP2-063 REP2-071		Concerns regarding transport effects to Cowfold village and surrounding roads including the A272 and A23.	<p>The likely significant transport effects associated with the construction phase of the Proposed Development have been assessed in Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064], Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-009] (updated at Deadline 3).</p> <p>At peak construction, taking account of the construction traffic routing contained within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the effects listed below have been identified for Cowfold as assessed within Chapter 32: ES Addendum Volume 2 of the ES [REP1-006]:</p> <ul style="list-style-type: none"> • At A281 south of Cowfold (Receptor 23): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 12 heavy goods vehicles (HGVs) per day, equivalent to an increase of 7.5% and approximately one HGV per hour; and ▶ 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. • The A281 / A272 in the centre of Cowfold (Receptor 24): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 3.5% and 3-4 HGVs per hour; and ▶ 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. • The A272 Station Road west of Cowfold Village centre (Receptor 25): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 4.6% and 3-4 HGVs per hour; and ▶ 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. • The A272 Bolney Road east of Cowfold Village centre (Receptor E): <ul style="list-style-type: none"> ▶ An HGV peak week increase of 39 HGVs, equivalent to an increase of 5.5% and 3-4 HGVs per hour; and ▶ 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>As a result of these increases, the ES concludes 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 in addition to commitments C-157 and C-158 (Commitments Register [REP1-015]) and Outline Construction Traffic Management Plan [REP1-010] updated at the Deadline 3, which discourage construction traffic from routing through the Cowfold Air Quality Management Area (AQMA). Commitments C-157 and C-158 (Commitments Register [REP1-015]) are reflected in Table 5-1 of the Outline Construction Traffic Management Plan [REP1-010] updated at the Deadline 3, secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) which confirms</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>prescribed local 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. For Cowfold, this means that HGVs will only route through the village centre for trips related to accesses A-56 or A-57 or where use of locally sourced materials / equipment make its avoidance impracticable. As calculated by using data included in Table 5-3 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the implementation of this commitment will remove up to 23,000 two-way HGV trips (11,500 HGVs) from Cowfold Village centre over the construction phase.</p> <p>Further to this, the Applicant has provided details of peak construction predicted for the Oakendene Compound and onshore substation:</p> <ul style="list-style-type: none"> 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); and 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>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. The Applicant is preparing preliminary highway designs for A-62 and A-63 which will be subject to independent road safety audits and submitted to West Sussex County Council with the aim of reaching an agreement on the preferred junction layout before the end of the Examination.</p> <p>The Applicant has also previously provided responses regarding the potential transport effects to Cowfold/A272/A23 as a result of the Proposed Development in response to the Relevant Representations, Written Representations, Local Impact Reports, and in response to Issue Specific Hearing 1, for further information please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.12.3, 2.14.2, 2.24.1 to 2.24.3, 2.34.3, NSB11.3, NSB11.22, and Table 6-1 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1; Reference 4 in Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018], submitted at Deadline 1; References 1.8 to 1.11, 1.15, and 1.16 in Deadline 2 Submission 8.37 Category 8: Examination Documents – Applicant's Response to Parish Councils and MP's Written Representations [REP2-014] submitted at Deadline 2; Reference 13g, Table 1a, and Appendix C in Deadline 2 Submission 8.43 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2; and Reference 8.12 in Deadline 2 Submission 8.45 Category 8: Examination Documents – Applicant's Response to Horsham District Council's Deadline 1 Submissions [REP2-022] submitted at Deadline 2. References 2.8.16 to 2.8.24, and 2.15.2 in Deadline 2 Submission 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] submitted at Deadline 2; and Response to CowfoldvRampion Section 10 in Deadline 2 Submission 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.

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REP2-063		Concerns regarding transport effects relating to Partridge Green.	As part of the update to the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), Table 5-2 and Figure 7.6.6c were updated at Deadline 1 to remove heavy goods vehicle (HGV) routing along the B2116 west of A-53. HGV construction traffic will therefore not be permitted to route through Partridge Green.
REP2-044 REP2-045 REP2-051 REP2-052 REP2-053 REP2-054 REP2-056 REP2-057 REP2-058 REP2-059 REP2-061 REP2-063 REP2-071		Concerns regarding transport effects relating to Kent Street.	<p>The construction access and operational access to the onshore substation site will be from the A272 only (not via Kent Street), details of which are set out in the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) accesses shown in Figure 7.6.9c, and secured through Requirement 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). Kent Street remains proposed for use as a temporary construction access (accesses 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 Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3).</p> <p>The likely significant effects associated with the construction phase of the Proposed Development on Kent Street have been assessed in Chapter 32: ES Addendum, Volume 2 of the Environmental Statement (ES) [REP1-006] and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-009]. This concluded the Proposed Development will generate significant effects related to fear and intimidation, pedestrian delay and pedestrian amenity during peak construction activities.</p> <p>Whilst the peak week of construction traffic is predicted to lead to a significant environmental effect this peak of construction activity is short term, lasting approximately two weeks. In between these construction peak periods it is predicted that HGV flows will be more than 10 vehicles per day (one per hour) for only 13 weeks of the construction programme.</p> <p>A Traffic management plan for Kent Street has been provided to West Sussex County Council and submitted at Deadline 3. This would then be secured through inclusion within an update to the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), which will be certified pursuant to Schedule 16 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3), and a stage specific Construction Traffic Management Plan secured pursuant to Requirement 24 (1) (a).</p> <p>The Applicant has previously provided responses regarding the potential transport effects to Kent Street as a result of the Proposed Development in response to the Relevant Representations, Written Representations, Local Impact Reports, and in response to Issue Specific Hearing 1, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.12.3, 2.24.1, 2.24.2, 2.24.4, LI9.1, LI17.1, NSB11.3, and Table 6-1 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1; Reference 4 in Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018], submitted at Deadline 1; Reference 1.13 in Deadline 2 Submission – 8.37 Category 8: Examination Documents – Applicant's Response to Parish Councils and MP's Written Representations [REP2-014] submitted at Deadline 2; References 13.1, 13.26, and 13.28 in Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2; References 2.8.17 to 2.8.24, 2.9.7, and 2.9.8, 2.15.2 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] submitted at Deadline 2; and Response to CowfoldvRampion Section 10 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-051 REP2-058 REP2-061		Concerns regarding the baseline traffic information used in the assessment of transport effects.	<p>Traffic data used to inform the assessments of the Proposed Development are detailed within Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]. 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 [RR-418].</p> <p>The effects of the Proposed Development assessed within Chapter 23: Transport, Volume 2 of the ES [APP-064] and Chapter 32: ES Addendum [REP1-006] utilise peak construction traffic flows defined in Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008]. Assumptions made in calculating predicted construction traffic generation and assessments is included within these documents.</p> <p>The Applicant notes that baseline traffic data Kent Street (Highway Link U) have been estimated based from on-site observations due to traffic survey data being unavailable (Table 3.4 within the Traffic Generation Technical Note [REP1-008] updated at Deadline 3). Traffic surveys for Kent Street are programmed for completion by the Applicant in May 2024. In addition, the Applicant is aware of traffic surveys completed on Kent Street in 2023 in support of the Enso Energy battery storage system Construction Traffic Management Plan (planning application DM/23/0769). This data and traffic surveys will be used to confirm baseline traffic flows on Kent Street within the Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] (updated at Deadline 3), and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] which will be updated and submitted at Deadline 4.</p>
REP2-063		Concerns regarding transport effects relating to Wineham Lane.	<p>An assessment of Wineham Lane has been completed in Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006]. This assessment has predicted that construction of the Proposed Development will lead to an increase in total traffic of 7.3% (69 vehicles per day) and an increase of 233.8% in Heavy Goods Vehicles (HGVs) (41 HGVs per day). Whilst it is acknowledged that the Proposed Development will result in a large percentage increase in HGVs, this should be considered against the very low baseline flow of 18 HGVs per day and peak construction traffic flow of 3-4 HGVs per hour, equivalent to one vehicle every 15-20 minutes. This peak also only lasts for approximately two weeks, after which HGV construction traffic flows will reduce to 1-2 vehicles per hour. Taking this into account in combination with the limited pedestrian demand and desire lines on Wineham Lane, the Applicant considers that the Proposed Development will not generate a significant effect.</p> <p>The Applicant has previously provided responses regarding the potential transport effects in relation to Wineham Lane as a result of the Proposed Development in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.14.2, 2.14.4, 2.24.1, 2.24.3, and LI17.1 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; References 1.14 to 1.17 in Deadline 2 Submission – 8.37 Category 8: Examination Documents – Applicant's Response to Parish Councils and MP's Written Representations [REP2-014] submitted at Deadline 2; and Table 1a in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2.
REP2-059 REP2-063		Concerns regarding the impact on residents of Kings Lane and Moatfield Lane during	<p>The private road known as Kings Lane and Moatfield Lane has been included within the proposed DCO Order Limits to secure a right of vehicular access to operate and maintain the cables. Kings Lane and Moatfield Lane provide a route to access A-60 which is defined in Table 23-24 within Chapter 23: Transport, Volume 2 of the Environmental Statement (ES) [APP-064] as an operational access only for the onshore cable route. Paragraphs 23.4.21 and 23.4.22 within Chapter 23: Transport, Volume 2 of the ES [APP-064] describe the expected operation 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</p>

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		construction and operation and maintenance phases.	<p>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 heavy goods vehicle (HGV) may be utilised, depending on the nature of the repair.</p> <p>Sheet 32 of the Onshore Works Plan [PEPD-005] also shows that Kings Lane and Moatfield Lane is for operational purposes only.</p> <p>As shown in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), 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 trenching 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 Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). The following general principles will apply to the managed or private means of access during the onshore cable route construction:</p> <ul style="list-style-type: none"> • 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; • All crossings of private means of access will be developed to allow emergency access at all times; • 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; • 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; • Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and • 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. <p>Plating over a construction site, such as a cable trench is a commonly applied technique in highways streetworks. The Applicant will ensure that regulatory guidance such as British Standard (BS) BS:5975:2008+A1:2011 and TAL6/14 are followed. There may be short waiting times for vehicle traffic to allow construction workers to put road plating in place.</p> <p>A final Code of Construction Practice will be required to be submitted and approved on a staged basis, in accordance with the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), pursuant to Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has previously provided responses regarding the potential transport effects to Kings Lane/Moatfield Lane as a result of the Proposed Development in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p> <ul style="list-style-type: none"> • References 2.24.2, LI17.1, LI25.1, and LI27.1 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; • Reference 4 in Deadline 1 Submission – 8.25 Applicant's Post Hearing Submission – Issue Specific Hearing 1 [REP1-018], submitted at Deadline 1; • References 1.13 and 1.16 in Deadline 2 Submission – 8.37 Category 8: Examination Documents – Applicant's Response to Parish Councils and MP's Written Representations [REP2-014] submitted at Deadline 2; • References 2.1.1, and 2.9.11 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] submitted at Deadline 2; and

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			<ul style="list-style-type: none"> Response to CowfoldvRampion Section 10 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
REP2-058		Concern regarding the impact on private access to residential properties during the construction phase.	<p>Mindful of residents' concerns raised, the Applicant updated the Outline Code of Construction Practice [PEPD-033] at the pre-Examination Procedural Deadline A. 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"> access restrictions will be kept to a minimum, with a diversion provided if possible; contractors will work with local stakeholders and accommodate reasonable requests for access; the trench will be covered outside of working hours, and access will be restored in emergencies; and closures will be communicated to local residents in advance. <p>The Applicant is willing to discuss appropriate and reasonable mitigation measures with affected properties during construction.</p> <p>Plating over a construction site, such as a cable trench is a commonly applied technique in highways streetworks. The Applicant will ensure that regulatory guidance such as British Standard (BS) BS:5975:2008+A1:2011 and TAL6/14 are followed. There may be short waiting times for vehicle traffic to allow construction workers to put road plating in place.</p>
REP2-045 REP2-054 REP2-056 REP2-057 REP2-063		Concerns regarding potential air quality and noise effects from construction traffic.	<p>Air quality</p> <p>Chapter 19: Air quality, Volume 2 of the Environmental Statement (ES) [APP-060] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] present an assessment of air quality effects from construction traffic. The assessment concludes that the Proposed Development will not result in significant effects on air quality, as a result of increased traffic on the local road network. An air dispersion traffic modelling study of the potential effects on the Cowfold Air Quality Management Area (AQMA) is presented in Section 1.4 within Appendix 19.1: Full results of construction road traffic modelling, Volume 4 of the ES [APP-173] with the assessment in Chapter 19: Air quality, Volume 2 of the ES [APP-060] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] concluding that there are no significant effects.</p> <p>Table 19-9 within Chapter 19: Air quality, Volume 2 of the ES [APP-060] concludes that there will be no significant traffic travelling through the Storrington High Street AQMA and that Annual Average Daily Traffic (AADT) along the Storrington High Street AQMA are below the Institute of Air Quality Management (IAQM) and EPUK 92017) screening criteria for road links in AQMA's, therefore potential effects are negligible.</p> <p>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 Chapter 23: Transport, Volume 2 of the ES [APP-064]. Environmental measures will be implemented to manage the potential effects from construction traffic. These are detailed in the Commitments Register [REP1-015] (updated at Deadline 3) and are secured through the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), Outline Construction Workforce Travel Plan [APP-229] (updated at Deadline 3), Outline Public Rights of Way Management Plan [APP-230] secured through Requirements 22 and 24 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <ul style="list-style-type: none"> <i>Commitment C-24: Best practice air quality management measures will be applied as described in Institute of Air Quality Management (IAQM) (2016) guidance on the Assessment of Dust from Demolition and Construction 2016, version 1.1;</i> <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 such as Storrington, Cowfold, Steyning, Wineham, Henfield, Woodmancote and other smaller settlements where possible. For Cowfold, this means that HGVs will only route through the village centre for trips related to accesses A-56 and A-57 or where use of local sourced materials / equipment makes its avoidance impracticable; and</i>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<ul style="list-style-type: none"> 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. This means that HGVs will only route through the village centre for trips related to accesses A-56 and A-57 or where use of local sourced materials / equipment makes its avoidance impracticable. <p>These commitments are also reflected in Table 5-1 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) which 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. For Cowfold, this means that HGVs will only route through the village centre for trips related to accesses A-56 or A-57 or where use of locally sourced materials / equipment make its avoidance impracticable. As calculated by using data included in Table 5-3 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the implementation of this commitment will remove up to 23,000 two-way HGV trips (11,500 HGVs) from Cowfold Village centre over the construction phase.</p> <p>The Applicant has provided an Outline Air Quality Management Plan (AQMP) (Document reference: 8.62) as Appendix F to the Outline Code of Construction Practice (CoCP) [PEPD-033] (updated at Deadline 3), this management plan outlines the measures to manage the impact on air quality for the onshore element of the Proposed Development. Stage specific AQMPs will be produced prior to the relevant stage of construction. They will be produced in accordance with the Outline Air Quality Management Plan (Document reference: 8.62) and provided for approval of the planning authority as per the Draft Development Consent Order [REP2-002] (updated at Deadline 3) as part of the stage specific CoCP. The stage specific AQMPs are secured through Requirement 22 (5) (i) of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p><u>Noise and vibration</u></p> <p>Chapter 21: Noise and vibration, Volume 2 of the Environmental Statement (ES) [APP-062] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] present an assessment of noise and vibration effects from construction traffic. The assessment concludes that the Proposed Development will not result in significant effects on noise and vibration, as a result of construction traffic on the local road network. The embedded environmental measures (as shown in Table 21-20 of Chapter 21: Noise and vibration, Volume 2 of the ES [APP-062]) include commitments C-22 and C-33 (Commitments Register [REP1-015] updated at Deadline 3) which will be implemented to minimise the disturbance of noise sensitive receptors secured via the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) and Requirement 22 within the Draft Development Consent Order [REP2-002].</p> <p>The Applicant has provided an Outline Noise and Vibration Management Plan (NVMP) (Document Reference: 8.60) as Appendix E to the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), this management plan outlines the measures to manage the impact on noise and vibration for the onshore element of the Proposed Development. Stage specific NVMPs will be produced prior to the relevant stage of construction. They will be produced in accordance with the Outline Noise and Vibration Management Plan (Document Reference: 8.60) and provided for approval of the planning authority as per the Draft Development Consent Order [REP2-002] as part of the stage specific CoCP. The stage specific NVMPs are secured through Requirement 22 (5) (h) of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has previously provided responses regarding the potential air quality and noise effects from construction traffic as a result of the Proposed Development in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p> <ul style="list-style-type: none"> References LI17.1, and NSB11.3 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1;

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			<ul style="list-style-type: none">• Sections 11 and 12 in Deadline 2 Submission – 8.45 Category 8: Examination Documents – Applicant's Response to Horsham District Council's Deadline 1 Submissions [REP2-022] submitted at Deadline 2; and• Response to CowfoldvRampion Sections 7 and 8 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.

Table 6-2 Applicant’s themed response to Onshore substation at Oakendene

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant’s response
	<p>REP2-051 REP2-056 REP2-057</p>	<p>Concerns regarding perceived flood risk at the onshore substation at Oakendene.</p>	<p>Flood risk at the onshore substation site at Oakendene is considered to ensure the Proposed Development is able to operate as planned, as referred to in Section 6.5 of the Appendix 26.2: Flood Risk Assessment, Volume 4 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 Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] and Design and Access Statement [AS-003] (updated at Deadline 3) 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 (commitment C-230, Commitments Register [REP1-015]) (updated at Deadline 3) secured via the Design and Access Statement [AS-003] (updated at Deadline 3) and Requirement 8 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The Operational Drainage Plan must accord with the Outline Operational Drainage Plan [APP-223] and will be secured via Requirement 17 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3). 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 (22 June 2022) included in Annex A of the Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216].</p> <p>Following the Issue Specific Hearing 1 (February 2024), a meeting was held by the Applicant with WSCC and HDC on 27 February 2024 with a view to understanding further concerns raised in relation to flood risk and drainage at the onshore substation site at Oakendene, which also explored concerns in relation to (perched) groundwater flood risk at the onshore substation site at Oakendene. Further information, most-notably photographs of recent flood events (generally dated November 2023, during a notably wet autumn) thought to be taken at locations around the onshore substation site at Oakendene, were shared onscreen with the Applicant (formally provided to the Examination by CowfoldvRampion in its Residents Impact Statement [REP1-089] at Deadline 1). The Applicant has since reviewed these photographs further, and provided commentary against those that are relevant in</p>

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			<p>CowfoldvRampion Section 9 in Deadline 2 Submission – 8.53 Category 8: Examination Documents - Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.</p> <p>The photographs are entirely consistent with the Environment Agency Risk of Flooding from Surface Water (RoFSW) mapping upon which the Applicant has based the assessment of flood risk as set out in Paragraph 5.7.14 of Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] in agreement with WSCC and HDC. These photos therefore provide a means of validation of the appropriateness of using the Environment Agency RoFSW mapping at this location, providing further confidence in the assessment.</p> <p>The Applicant undertook a site visit to the onshore substation site at Oakendene and watercourse on 2 February 2024. It is acknowledged that minimal rainfall (<1mm) fell during the preceding week (based on review of the Cowfold rainfall gauge), however, late winter to early spring is when groundwater levels would be expected to be seasonally high. The watercourse was noted to be in-channel and no standing water was observed across the onshore substation site. The reduced water levels compared to the CowfoldvRampion photos (dated from November 2023 to February 2024) indicate that it is not a groundwater flooding issue and is instead a surface water flood risk issue.</p> <p>Based on the discussions (the Applicant's meeting with WSCC and HDC on 27 February 2024), a way forward has been agreed with WSCC and HDC which all three parties anticipate will allay concerns raised. Winter groundwater monitoring will be undertaken at the onshore substation site as part of the detailed design stage, post-DCO award, the result of which will be used to inform the detailed drainage design. A new environmental measure (Commitment C-293) has been added to the Commitments Register [REP1-015] (updated at Deadline 3) to reinforce this commitment to winter groundwater monitoring which will be secured via Requirement 17 within the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has also previously provided responses regarding the potential flood risk impact as a result of the onshore substation site at Oakendene in response to the Relevant Representations, Written Representations, Local</p>

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			<p>Impact Reports, and in response to Issue Specific Hearing 1, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.3.42 to 2.3.44, 2.5.8, and Table 6-13 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; Deadline 1 Submission – 8.25.4 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 4 – Further Information for Action Point 20 – Oakendene Substation Flood Risk [REP1-023], submitted at Deadline 1; References 16.3 in Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2; References 2.9.1 to 2.9.47 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Members of the Public and Businesses' Written Representations [REP2-029] submitted at Deadline 2; and Response to CowfoldvRampion Section 12 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
	REP2-067	Concerns regarding landscape and visual effects of the onshore substation at Oakendene.	<p>Chapter 18: Landscape and visual impact, Volume 2 of the Environmental Statement (ES) [APP-059] considers the potential landscape and visual effects of the Oakendene substation including long distance views from the High Weald Area of Outstanding Natural Beauty (AONB). Section 18.9 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] provides the assessment of landscape and visual effects resulting from the construction, operation and maintenance, and decommissioning of the onshore substation site at Oakendene.</p> <p>The onshore substation at Oakendene will have a significant effect on the landscape character within which it is located, namely the J3 Cowfold & Shermanbury Farmlands Local Character Area (LCA) and within 100-250m of the surrounding area to the south and southwest throughout the construction, operation and maintenance and</p>

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			<p>decommissioning phases. These effects are contained by the mature vegetation which surrounds the onshore substation site at Oakendene. These limited effects are due to the location of the onshore substation site within a well-established network of mature trees and woodland and the perimeter planting involving native trees as illustrated in the Appendix D Oakendene onshore substation Indicative Landscape Plan within the Design and Access Statement [AS-003] (updated at Deadline 3).</p> <p>During the construction phase, Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] identifies that there will be a temporary significant effect on the views experienced by people walking on Public Right of Way (PRoW) 1786 and 1788 north of Taintfield Wood and road users travelling past the site on the A272 and Kent Street, viewing through existing mature roadside vegetation. During the operation and maintenance phase, the extent of visual effects will reduce due to the implementation of Appendix D Oakendene onshore substation Indicative Landscape Plan within the Design and Access Statement [AS-003] (updated at Deadline 3) which will mitigate the views from PRoW, the A272 and Kent Street. By Year 10 (ten years after construction completion) significant visual effects will be limited to views from PRoW 1786 on high ground to the south of the site near Taintfield Wood. No significant visual effects are identified at the decommissioning phase of the onshore substation site, being surrounded by mature vegetation as a result of both the existing trees and Appendix D Oakendene onshore substation Indicative Landscape Plan within the Design and Access Statement [AS-003] (updated at Deadline 3), these are secured by Requirements 8, 12 and 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has previously provided responses regarding the potential landscape and visual effects as a result of the construction, operation and maintenance, and decommissioning stages of the onshore substation site at Oakendene in response to the Relevant Representations and Written Representations, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.2.7, 2.3.17, 2.3.18, 2.5.6, 2.5.30, and Table 6-15 in Deadline 1 Submission – 8.24 Applicant's

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>Response to Relevant Representations [REP1-017] submitted at Deadline 1; and</p> <ul style="list-style-type: none"> Response to CowfoldvRampion Section 6 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
	REP2-045 REP2-051 REP2-058	Concerns regarding the potential heritage impact of the onshore substation at Oakendene could have on Oakendene Manor.	<p>The design of the Proposed Development, including the onshore substation design, has been an iterative process that has sought to limit the potential for direct and indirect effects, wherever possible. This process was informed by the information set out in Appendix 25.5: Oakendene parkland historic landscape assessment, Volume 4 of the Environmental Statement (ES) [APP-211]. This document was prepared at the recommendation of West Sussex County Council (WSCC) during the non-statutory consultation exercise held between 14 January and 11 February 2021. The completed document was submitted to WSCC in April 2023, however, the information contained within was used to inform the design and optioneering process at an earlier stage.</p> <p>The understanding of the historic environment interests of Oakendene Manor informed the design principles identified to reduce and minimise the effects on the setting of the building and these are secured in the Design and Access Statement [AS-003] (updated at Deadline 3). The detailed design of the onshore substation must be undertaken in accordance with these design principles and provided for approval of the planning authority as per the Requirements of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) including 8 (2) which states that the design for approval, “<i>must accord with the principles set out in the relevant part of the design and access statement</i>”.</p> <p>Requirement 12 (3) of the Draft Development Consent Order [REP2-002] (updated at Deadline 3) also requires accordance with the Design and Access Statement [AS-003] (updated at Deadline 3) for provision of the landscaping details for the onshore substation at Oakendene.</p> <p>The assessment of effects on Oakendene Manor is provided in paragraphs 25.9.543 to 25.9.547 (for the construction phase) and 25.10.7 to 25.10.10 (for the operation and maintenance phase) of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020]. For the construction phase,</p>

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			<p>a Low magnitude of change is assessed, resulting in a Moderate adverse residual effect which would be Not Significant.</p> <p>For the operation and maintenance phase, a Medium magnitude of change is assessed, resulting in a Major adverse residual effect which would be Significant. The assessment provides the following qualifying statement with respect to the degree of harm to Oakendene Manor, “As noted at paragraph 25.8.18, adverse change of less than a high magnitude to a designated heritage asset or non-designated heritage assets of equivalent heritage significance will normally be considered to comprise less than substantial harm. In this case, a medium magnitude of change would constitute less than substantial harm. This is because the listed building itself will be physically unaltered and important elements of its setting, including its relationship with the immediately surrounding gardens and the view to the south, will be preserved.” (paragraph 25.10.10 of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020]).</p> <p>The Applicant notes Section 25.11 Assessment of effects: Decommissioning phase of Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020], specifically the following statement regarding the onshore substation, “Removal of infrastructure will mitigate any visual and audible impacts arising during the operation and maintenance phase (as described in Section 25.10). Where mitigatory planting is retained, any effects on heritage significance through change to setting of heritage assets, as assessed for the operation and maintenance phase, will persist following decommissioning.”</p> <p>It is noted that with regard to Oakendene Manor, Horsham District Council has stated in their Relevant Representation reference 2.5.89 [RR-148] that: “HDC confirms that, having reviewed the location of designated above-ground heritage assets within the vicinity of the development and evaluated the contribution that their settings make to the significance of the asset, the impact of the development, including the substation, on these would be less than substantial at the lower end of the scale of that category in all cases of the historic environment and individual heritage assets.”</p> <p>The Applicant confirms that no direct harm will occur to the listed building Oakendene Manor, which lies outside of the proposed DCO Order Limits. The Planning Statement [APP-</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>036] outlines the position with regards the planning balance with regard to the benefits of the Proposed Development and the harm to heritage assets that is identified in Chapter 25: Historic environment, Volume 2 of the ES [PEPD-020], as per paragraphs 4.7.66 and 5.4.10 of the Planning Statement [APP-036].</p> <p>The Applicant has previously provided responses regarding the potential impact on heritage receptors as a result of the Oakendene substation in response to the Relevant Representations, Written Representations, Local Impact Reports, and in response to Issue Specific Hearing 1, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.3.38 and 2.3.41 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; Reference 6 in Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018]; References 9.5, 15.3, 15.8, and 15.40 to 15.52 in Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2; and Response to CowfoldvRampion Section 11 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
	REP2-056	Concerns regarding noise effects in relation to the onshore substation at Oakendene.	<p>The DCO Application includes a series of documents that address the potential effects of noise on human receptors. These include the following aspect chapters:</p> <ul style="list-style-type: none"> Chapter 21: Noise and vibration, Volume 2 of the Environmental Statement (ES) [PEPD-018]; and Chapter 28: Population and human health, Volume 2 of the ES [APP-069]. <p>Section 21.15 in Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] assessment concluded that the potential noise and vibration effects during the construction phase will be negligible to minor adverse following the</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>implementation of embedded environmental measures, which is not significant in terms of EIA.</p> <p>The Outline Code of Construction Practice (CoCP) [PEPD-033] (updated at Deadline 3) outlines management measures and mitigation proposed at all onshore construction areas to reduce the effects relating to noise and vibration from construction of the Proposed Development, including commitments C-10, C-26, and C-263. Commitment C-263 for the production of stage specific Noise and Vibration Management Plans (NVMP) during detailed design based on the principles in the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3), detailing best practicable means and location specific mitigation. The NVMP will be based on further assessment on where noisy construction activities. Additional measures will be considered at these locations, such as mufflers, acoustic shrouds, and temporary noise barriers, where appropriate. Stage specific CoCPs are secured through Requirement 22 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has provided an Outline Noise and Vibration Management Plan (NVMP) (Document reference: 8.60) at Deadline 3, this management plan outlines the measures to manage the impact on noise and vibration for the onshore element of the Proposed Development. Stage specific NVMPs will be produced prior to the relevant stage of construction. They will be produced in accordance with the Outline Noise and Vibration Management Plan (Document reference: 8.60) and provided for approval of the planning authority as per the Draft Development Consent Order [REP2-002] as part of the stage specific CoCP. The stage specific NVMPs are secured through Requirement 22 (5) (h) of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The Applicant has previously provided responses regarding the potential noise and vibration effects as a result of the construction, operation and maintenance, and decommissioning phases of the onshore substation at Oakendene in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<ul style="list-style-type: none">• References 2.3.20 to 2.3.22, and Table 6-7 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; and• References 10d, and 10.46 to 10.48 in Deadline 2 Submission – 8.25.1 Category 8: Examination Documents – Applicant's Response to West Sussex County Council's Deadline 1 Submissions [REP2-020] submitted at Deadline 2.

Table 6-3 Applicant's themed response to Ecology

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-045 REP2-051 REP2-053 REP2-055 REP2-056 REP2-057		Concern regarding the effect that the Proposed Development will have on terrestrial ecology, wildlife, and biodiversity.	<p>The Development Consent Order (DCO) Application includes a series of documents that address the potential effects for onshore and offshore ecology and habitats. These include the following aspect Environmental Statement (ES) chapters:</p> <ul style="list-style-type: none"> • Chapter 12: Offshore and intertidal ornithology, Volume 2 of the ES [APP-053]; and • Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]. <p>Further to the ES chapters, a number of additional documents have been submitted that are focused on onshore and offshore ecology and habitats:</p> <ul style="list-style-type: none"> • Report to Inform Appropriate Assessment [APP-038]; • Habitats Regulations Assessment (Without Prejudice) Derogation Case [APP-039]; and • Outline Landscape and Ecology Management Plan [APP-232]. <p>The ES assessments undertaken have concluded that no significant effects on terrestrial ecology or ornithology are likely to occur as a result of the Proposed Development alone or with other relevant projects or plans taking account of environmental measures embedded into the design of the Proposed Development. Similarly, the Report to Inform Appropriate Assessment [APP-038] concludes that there will be no adverse effect to any of the protected sites assessed or their designated features.</p> <p>The Applicant has previously provided responses regarding the potential impact the Proposed Development could have on terrestrial ecology in response to the Relevant Representations, Written Representations, Local Impact Reports, and in response to Issue Specific Hearing 1, please see below for the key responses:</p> <ul style="list-style-type: none"> • References 2.3.23 to 2.3.28, Table 4-15, Table 6-2, and Table 6-3 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; • References 6.23 to 6.26, and 3.8.1 to 3.8.14 in Deadline 2 Submission – 8.47 Category 8: Examination Documents: Applicant's Responses to South Downs National Park Authority's Deadline 1 Submissions [REP2-024] submitted at Deadline 2; and • Response to CowfoldvRampion Section 9 in Deadline 2 Submission – 8.53 Category 8: Examination Documents: Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
REP2-045 REP2-056		Concern regarding the effect on trees and hedgerows.	<p>Losses of hedgerows, scrub and woodland have been minimised through avoidance in the design of the Proposed Development. Where notching of hedgerows is required during the construction of the onshore cable corridor, reinstatement will be within 2 years, with these sections establishing to a similar size to the remaining hedgerow within 5 to 10 years. The Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) includes Vegetation Retention Plans which show areas of vegetation to be retained. The permanent losses of tree lines or hedgerows within the onshore substation footprint will be compensated for through the landscape design and Biodiversity Net Gain (BNG) will compensate any deficit to reach net zero loss as well as delivering 10% enhancement (secured through Requirement 14 of the Draft Development Consent Order [REP2-002] updated at Deadline 3). These measures will be secured through the Outline Landscape and Ecology Management Plan [APP-232] (updated at Deadline 3) through woodland, scrub, and parkland tree planting in the area around the onshore substation secured through Requirements 22 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>Embedded environmental measures, detailed within Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the Environmental Statement (ES) [APP-194] will be implemented to necessitate unnecessary tree removal or pruning, alongside maintaining the quality, condition, or safety of remaining trees.</p> <p>Following Issue Specific Hearing 1 in February 2024, the Applicant has reviewed vegetation losses at access in accordance with Action Point 22 and provided a summary note at Deadline 3, please see Construction Access Technical Note (Document reference: 8.61).</p> <p>The Applicant has previously provided responses regarding the potential impact the Proposed Development could have on trees and hedgerows in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p> <ul style="list-style-type: none"> References 2.3.23 to 2.3.28, and Table 6-3 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1; References 6.23 to 6.26 in Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Response to South Downs National Park Authority's Deadline 1 Submissions [REP2-024] submitted at Deadline 2; and Response to CowfoldvRampion Section 9 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.
REP2-055 REP2-056		Concern regarding the adequacy of ecological surveys undertaken.	<p>The Applicant is satisfied that the level of field survey undertaken is proportionate to the type of activity proposed and allows a robust ecological impact assessment to be carried out. The Applicant notes that neither Natural England nor Horsham District Council (HDC) have highlighted a lack of survey information in general as an issue, acknowledging that HDC have questioned whether additional survey information for the Oakendene construction compound is required. It is noted that the approach to baseline data collection and the interim results of the surveys were shared on a number of occasions with the Expert Topic Group (see Section 22.3 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement (ES) [APP-063]) to gauge their opinion, amongst other matters, on adequacy of survey effort. Other technical engagement with various parties including South Downs National Park Authority, West Sussex County Council and Sussex Wildlife Trust all included discussion of approach. The sampling approach was not objected to by any of the parties during this engagement (see Section 22.3 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]). A sampling approach has also been applied for other linear projects to allow for an understanding of the temporary effects associated with installation. It is notable that full post-consent surveys will also be undertaken (see Outline Code of Construction Practice [PEPD-033] updated at Deadline 3) to inform detailed design, including the continued implementation of the mitigation hierarchy (see commitment C-292 in the Commitments Register [REP1-015]). The Applicant has provided a response to the Examining Authority's question on the ecological surveys undertaken for the Proposed Development, please see Examining Authority's Written Question TE 1.1 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3.</p> <p>The Applicant has previously provided responses regarding the potential impact the Proposed Development could have on the adequacy of ecological surveys undertaken in response to the Relevant Representations, Written Representations, and Local Impact Reports, please see below for the key responses:</p> <ul style="list-style-type: none"> Table 4-15 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1;

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<ul style="list-style-type: none"> Reference 3.8.2 in Deadline 2 Submission – 8.47 Category 8: Examination Documents – Applicant's Response to South Downs National Park Authority's Deadline 1 Submissions [REP2-024] submitted at Deadline 2; Response to CowfoldvRampion Section 9 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2; and Examining Authority's Written Question TE 1.1 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3.
REP2-056 REP2-057		Concern regarding the impact upon Nightingales.	<p>The impact of the Proposed Development on breeding birds, including nightingale, has been assessed in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement (ES) [APP-063]. The assessment concludes that the impact on breeding birds from reduction in habitat connectivity, disturbance and displacement will not be significant. The Indicative Landscape Plan within the Design and Access Statement [AS-003] (updated at Deadline 3), details additional habitat which is being provided to support the local nightingale population at the onshore substation at Oakendene. This includes wet woodland, woodland, scrub, and parkland trees. Compliance with the principles in the Design and Access Statement [AS-003] (updated at Deadline 3) for the detailed design of the onshore substation is secured through Requirement 8 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3).</p> <p>The nightingale records provided by CowfoldvRampion show nightingale activity in the same locations recorded in Appendix 22.13: Breeding bird survey, Volume 4 of the ES [APP-191], with additional activity outside of the proposed DCO Order Limits. Although there are more records shown on the maps supplied by CowfoldvRampion, this is likely because the process of assigning these to individual territories has not taken place in the same way as is typical for a territory mapping style survey (see Annex D of Appendix 22.13: Breeding bird survey, Volume 4 of the ES [APP-191]). The approach is based on the premise that individual sightings or aural registrations of birds do not equate to an individual territory. The Applicant is content that the nightingale territories recorded during the survey are representative of the data that has been provided by CowfoldvRampion. The potential effects on nightingale (including habitat loss and disturbance) are assessed in Section 9 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]. Following a review of the data presented by CowfoldvRampion, it is considered that there are no further changes to the conclusions drawn in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063] are required. Therefore, as outlined in Chapter 22: Terrestrial Ecology and Nature Conservation, Volume 2 of the ES [APP-063] nightingale will not be subject to significant effects during the construction period of the onshore transmission cable.</p> <p>Further to this, the Applicant has provided a response to the Examining Authority's question regarding potential impacts on nightingales in the vicinity to the proposed substation site, please see Examining Authority's Written Question TE 1.4 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3.</p> <p>The Applicant has previously provided responses regarding the potential impact the Proposed Development could have on nightingales in response to the Relevant Representations and Written Representations please see below for the key responses:</p> <ul style="list-style-type: none"> Table 6-3 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; Response to CowfoldvRampion Section 9 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2; and Examining Authority's Written Question TE 1.4 in Applicant's Responses to Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3.

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-050		Concern about the impact that the Proposed Development will have on seahorses.	<p>The Applicant is confident that based on the data presented in Chapter 8: Fish and shellfish ecology, Volume 2 of the Environmental Statement (ES) [APP-049], seahorse numbers within the vicinity of the Proposed Development are generally low. The Applicant has undertaken a suitably precautionary assessment and assumed the presence of overwintering seahorse in the vicinity of the Proposed Development. Therefore, as detailed in the In Principle Sensitive Features Mitigation Plan [REP1-012] (updated at Deadline 3), as a further precaution, the Applicant has committed to the use of at least one offshore piling noise mitigation technology for the duration of the construction phase, this will ensure any potential for impact on seahorse in its offshore winter phase is minimised.</p> <p>Furthermore, the Applicant would like to direct the Interested Party to Appendix 11.3: Underwater Noise Assessment Technical Report, Volume 4 of the ES [APP-149], where the precautionary approach in the noise modelling is detailed, and therefore the Temporary Threshold Shift (TTS) impact ranges on seahorse are considered over precautionary.</p> <p>The Applicant has previously provided responses regarding the potential impact the Proposed Development could have on seahorses in response to the Relevant Representations, Written Representations, Local Impact Reports, and in response to Issue Specific Hearing 1, please see below for the key responses:</p> <ul style="list-style-type: none"> References E40 to E49, E79, and E80 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1; Section 5 in Deadline 1 Submission – 8.25.1 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 9 – Further Information for Action Points 38 and 39 – Underwater Noise [REP1-020], submitted at Deadline 1; and Reference 2.12.11 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Members of the Public and Businesses' Written Representations [REP2-029] submitted at Deadline 2.

Table 6-4 Applicant's themed response to Consultation

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-051 REP2-056		A perceived lack of consultation.	<p>The project has been subject of multiple rounds of iterative consultation with local people and environmental authorities (through statutory and non-statutory consultation as detailed in Section 5.9 of Chapter 5: Approach to the EIA, Volume 2 of the Environmental Statement (ES) [APP-046]). This process, and evidence of regard had to consultation responses, is set out in the Consultation Report [APP-027].</p> <p>During each consultation, the Applicant's consultation materials included a combination of both simplified plans to enable consultees to review draft proposals in relation to their geographical area of interest, while also providing more technical and detailed Onshore Work Plans [PEPD-005].</p> <p>During each consultation, the Applicant's environmental information provided a full account of the environmental impact assessments of draft proposals on the environment and communities and outlined mitigation proposals. This was set out in the consultation materials for each consultation, as follows:</p> <ul style="list-style-type: none"> • Statutory Project-Wide Consultation, July-September 2021 as set out in the Preliminary Environmental Information Report (PEIR) (Rampion Extension Development, 2021);. • Reopened Statutory Project-Wide Consultation, February – April 2022 as set out in the PEIR (RED, 2021);. • Statutory Onshore Consultation, October – November 2022 as set out in the PEIR Supplementary Information Report (SIR) (RED, 2022); and. • Targeted Onshore Consultation, February – March 2023 as set out in the PEIR Further Supplementary Information Report (FSIR) (RED, 2023). <p>The consideration of responses to consultation is presented in the Consultation Report [APP-027]. This process resulted in the consideration of reasonable alternatives reported in Chapter 3: Alternatives, Volume 2 of the ES [APP-044] and the refinement to the final proposed DCO Order Limits.</p> <p>For further information please see Appendix 15 Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022 (Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1).</p>

Table 6-5 Applicant’s themed response to Alternatives

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant’s response
	REP2-051 REP2-056 REP2-063	Opinion that the evidence provided to assess the alternative onshore substation options is not sufficient.	<p>The Applicant has previously provided responses regarding the alternatives considered as part of the Proposed Development, the key responses please see:</p> <ul style="list-style-type: none"> • References 2.3.5, 2.24.2, and Table 6-4 in Deadline 1 Submission – 8.24 Applicant’s Response to Relevant Representations [REP1-017] submitted at Deadline 1; • Reference 9.44 in Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant’s Response to West Sussex County Council’s Deadline 1 Submissions [REP2-020] submitted at Deadline 2; • References 4.1 to 4.7 in Deadline 2 Submission – 8.44 Category 8: Examination Documents – Applicant’s Response to Arun District Council’s Deadline 1 Submissions [REP2-021] submitted at Deadline 2; • References 2.1.2, 2.1.3, and 2.8.10 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant’s Response to Affected Parties’ Written Representations [REP2-028] submitted at Deadline 2; and • References 2.7.1 and 2.19.1 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant’s Response to Members of the Public and Businesses’ Written Representations [REP2-029] submitted at Deadline 2. <p>The information that the Applicant has provided within the DCO Application and throughout the Examination reflects the design evolution of the Proposed Development. The Applicant has also provided a response following Issue Specific Hearing 1 regarding Action Point 4 responding to the request from the Examining Authority regarding: “Applicant to provide additional evidence and justification to explain why the Wineham Lane North site was discounted for the onshore substation, with a focus on the engineering and environmental constraints of site.” (see Deadline 1 Submission – 8.25 Applicant’s Response to Action</p>

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
			<p>Points Arising from Issue Specific Hearing 1 [REP1-018] and Deadline 1 Submission – 8.25.2 Applicant's Post-Hearing Submission – Issue Specific Hearing 1 Appendix 2 – Further information for Action Point 4 – Wineham Lane North [REP1-021], submitted at Deadline 1).</p>
	REP2-057	Opinion that the Applicant's assessment of the Oakendene Substation site did not fully assess the UKPN 132kV running under the site.	<p>The UK Power Networks (UKPN) 132kV cable is a known technical constraint and the Applicant is in discussions with UKPN on potential diversions or crossings of overground and underground services across the cable route. The protection of existing UKPN infrastructure will be ensured through DCO Protective Provisions. The power to alter existing apparatus, including cables, is included in the Draft Development Consent Order [REP2-002] (updated at Deadline 3) as 'further works' within Schedule 1 Part 1.</p> <p>Further to this, the Applicant has previously provided responses to this concern raised, please see Table LI45 and Table 6-19 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1, and Section 15 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.</p>

Table 6-6 Applicant's themed response to General

Ref	Respondent	Summary of Deadline 2 submission concerns raised	Applicant's response
REP2-056		Concern over effects of the Proposed Development on businesses.	The Applicant has previously provided a response to this concern raised, please see Table MPB17 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1, Reference 2.15.15 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties Written Representations [REP2-028] submitted at Deadline 2, and Reference 2.40.5 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Members of the Public and Businesses' Written Representations [REP2-029] submitted at Deadline 2.
REP2-053		Concern that the proposed battery farm/storage application located near the existing National Grid Bolney substation would be unable to be constructed in addition to the Proposed Development.	<p>The Applicant is aware of a proposal for a battery farm/storage facility on Kent Street, which has sought a screening opinion from Horsham District Council (Planning Application reference: DC/24/0054). The proposed access road for this third party development would cross the alignment of the Rampion 2 export cable. The Applicant has engaged with the developers of this project, as well as with promoters of two further projects off Wineham Lane, to alleviate any potential conflicts with the proposals as the applications progress.</p> <p>The Applicant has previously provided a response to this concern raised, please see Section 15.4 in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultee's Written Representations [REP2-030] submitted at Deadline 2.</p>
REP2-049		Opinion that the Proposed Development could be sited more efficiently and that it will not produce sufficient energy.	<p>The Applicant has previously provided a response to this concern raised, please see Table MPB12 in Deadline 1 Submission – 8.24 Applicant's Response to Relevant Representations [REP1-017] submitted at Deadline 1, and Action Point 2 in Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018].</p> <p>The Applicant has previously provided a response to Protect Coastal Sussex's regarding concerns relating to the wind resource availability in the Channel, please see Section 4, Appendix C: Applicant's response to Protect Coastal Sussex's Written Representation in Deadline 2 Submission 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.</p>

7. Applicant's response to Non-Prescribed Consultee Deadline 2 submissions

Table 7-1 Applicant's response to Littlehampton Harbour Board Deadline 2 submission

Ref	Deadline 2 submission	Applicant's response
2.1.1	<p><u>1. Introduction</u></p> <p>Littlehampton Harbour Board (LHB) are an Interested Party of the Application by Rampion Extension Development Limited for an Order granting Development Consent for the Rampion 2 Offshore Wind Farm Project. This representation is in response to the ExA's questioning of both the MCA and the Applicant's expert advisors to address item 14 of Issue Specific Hearing 1 Day 2's agenda. Specifically, (i) clarification on the process and timing for obtaining a Pilot Exemption Certificate (PEC) when operating within Littlehampton Harbour's Competent Harbour Authority (CHA) waters. (ii) The potential for LHB to offer key O&M facilities and support through its various phases the eco-system of Rampion 2.</p>	Noted, the Applicant has no further comments on this matter at this time.
2.1.2	<p><u>2. LHB's designation as a CHA</u></p> <p>The Littlehampton Harbour CHA's area of jurisdiction includes both the Statutory Harbour Area (SHA) and the CHA Pilotage Area. The SHA is the whole of Littlehampton Harbour as defined in Part 5 section 36 of the Littlehampton Harbour & Arun Drainage Outfall Act of 1927.</p>	
2.1.3	<p><i>"The harbour shall include the River Arun and the estuary thereof below the line of the high water mark of ordinary spring tides from the south side of Arundel Bridge to an imaginary line drawn due East and West through an imaginary point situate fifty feet due South of the southern extremity of the Western Pier at the entrance to the harbour extending for five hundred yards to the East and five hundred yards to the West of that point and from the termination of this line on the East and West sides respectively due North to the high water mark of ordinary spring tides on the seashore and the wharves lands and works for the time being of the Harbour Board."</i></p>	
2.1.4	<p>The Littlehampton Harbour Board is the CHA for Littlehampton Harbour under the terms of the Pilotage Act 1987 (The Act).</p>	
2.1.5	<p>The CHA is defined as the waters of the sea for a distance of three nautical miles from low water mark of ordinary spring tides bounded on the west by an imaginary line joining Halnaker Mill and Middleton Church and on the east by an imaginary line joining Chanctonbury Ring and Goring Church.</p>	
2.1.6	<p>Following assent of LHB's impending Harbour Revision Order (HRO) which sets out to align the SHA with the wider CHA, it is important to note that LHB's Duty of Care to Harbour users for ensuring navigational safety within the previously mentioned SHA will be of even greater significance, specifically with respect to Rampion 2 assets operating near to Climping. This will require vessels operating within the previously detailed CHA area to comply with the restrictions and controls set out within LHB's statutory Harbour legislation, Health and Safety regulations, the Merchant Shipping Act and Harbour Byelaws as necessary.</p>	

Ref **Deadline 2 submission**
Applicant's response


The SHA Area is displayed in red and the CHA is displayed in Green on the chart above.

2.1.7 **3. Who does the CHA apply to?**

Pilotage is compulsory within Littlehampton Harbour's CHA for:

- Vessels over 60GT (gross tonnes) and over
- Vessels carrying more than 12 passengers when greater than or equal to 20m in length.
- Any vessel engaged in towing or pushing another where combined tonnage exceeds 60GT.
- Any vessel greater than or equal to 20m length suffering from a defect or deficiency that effects its normal ability to navigate and or manoeuvre or its ability to comply with the requirements of the COLREGS and/or STCW.

2.1.8 Operations involving the use of vessels subject to pilotage, must be discussed with the Harbour Master. Certain operations may still be subject to Pilotage even if they do not involve Harbour entry.

2.1.9 **4. Pilotage Exemption Certificates**


If deemed appropriate and/or necessary, under the Pilotage Act 1987, Littlehampton Harbour CHA is the authority for the issuing of a PEC. A PEC can also be granted specifically for Harbour Entry. The successful award of a PEC is achieved through examination by the Harbour Master of Littlehampton (or such person approved by LHB) and requires a level of competence equivalent to that of an authorised pilot. A Limited PEC (LPEC) can be authorised for operations internal to the harbour, excluding transit of the narrows, or external to the harbour within the CHA (e.g. barge operations, cable laying etc). Its award may cover either inland waters or coastal waters within the CHA. As identified on the PEC / LPEC, certificates are valid for an individual vessel and applicant. The PEC / LPEC is not transferable, will remain extant for a period of twelve months (unless otherwise stated), and can be suspended or revoked under s.8 of The Pilotage Act 1987.

2.1.10 It should be noted that qualifying for a PEC is never more onerous than qualifying for an authorisation as a pilot. Certificate holders comply strictly with all port requirements and will be under the direction of the Harbour Master when navigating within port limits.

2.1.11 Application forms for submission by post or email are available from Littlehampton Harbour Office. The Harbour Master will then contact applicants to discuss assessment / re-assessment requirements and costs.

2.1.12 **5. Pilotage procedure**

Vessels should notify the requirement for a Pilot at least 24 hours prior to arrival. Items required prior to acceptance include, crew list, copy of waste certificate and ship's information proforma.

Ref	Deadline 2 submission	Applicant's response
2.1.13	<p>It is requested that vessels waiting to receive an LHB Pilot use the Anchorage at 50° 46.00'N 000° 32.50'W and await contact from LHB Pilot. The boarding and landing of pilots are undertaken by the Pilot Boat 'ERICA' which is a blue hulled multi-purpose workboat (displaying pilotage lights and marked PILOT when operating). The charted Pilot Boarding point is at 50° 46.60'N 000° 32.60'W.</p>	
2.1.14	<p>LHB does not operate a VTS, however with the increases in areas brought about by the HRO, it is likely the Harbour Master will require all major vessel movements to be coordinated via Littlehampton's Harbour Office on VHF channel 71.2</p>	
		
2.1.15	<p><u>6. Pilotage Resource.</u></p> <p>Littlehampton Harbour employs a fixed and flexible Pilotage Operating Model that ensures the timely and effective delivery of a capable Pilotage service, regardless of demand. LHB is ready to provide further detail once the applicant is able to share indicative volumes of vessel movements and tasking profiles, including support and service requirements.</p>	
2.1.16	<p><u>7. Costs</u></p> <p>The Littlehampton Harbour CHA seek to recover costs associated with the provision of a Pilotage service from all those who directly use it. The applicable charges for Acts of Pilotage undertaken by the Littlehampton Harbour authorised Pilot (including PEC / LPEC holders) shall be those specified in LHB's published Schedule Of Pilotage Charges.</p>	
2.1.17	<p><u>8. LHB's Commercial Offer</u></p> <p>With reference to the amenities and services required to support the various phases throughout the lifecycle of Rampion 2, LHB already offers wide-ranging long-term and short-term facilities for vessels differing in size, tasking, and support needs. These include:</p> <ul style="list-style-type: none"> • NAABSA Berths (Dredged to required depth) • Shore-side flexible-use Estate & Infrastructure • Along-side Berthing • Marine Servicing / Fabrication • Welding & Engineering Services • Crane & Plant Operator and Management • Water Injection & Plough Dredging • Bed-Levelling • Surveying 	

Ref	Deadline 2 submission	Applicant's response
	<ul style="list-style-type: none">• Bunkering• Towage• Salvage• Tourist trips• 5-minute walk Local / National Rail links• Easy access to National Road & International Air networks.	

Table 7-2 Applicant's Response to Cowfold/Rampion responses to Written Representations for Deadline 2

Ref	Deadline 2 Submission	Applicant's Response
2.2.1	<p>REP1-145, Protect Coastal Sussex</p> <p>The Due diligence Chapter refers to the Chilling Effect in planning terms of Rampion's behaviour during the consultation. <i>"The chilling effect in the context of the UK's Development Consent Order (DCO) planning process for offshore wind developments refers to the dampening effect on community engagement and participation caused by perceived or actual difficulties in the planning and approval process. When communities feel that their input is not being valued or that the process is too complex and burdensome, or feel developers are not transparent or acting in good faith, they become less willing to actively engage in the planning process. This can lead to a lack of trust between developers and communities, as well as decreased willingness to cooperate, negotiate and participate. For affected inland communities it may relate to compulsory acquisition of land or rights. Chilling effect also applies to warning away potential investors due to slow or uncertain regulation. Chilling effect was entertained but not upheld due to insufficient evidence in a windfarm High Court Judicial Review in 2022."</i></p>	<p>The Applicant previously provided detailed and extensive information in advance of the Development Consent Order (DCO) Application submission to support consultations, including Preliminary Environmental Information Reports (published 2021, 2022, and 2023), draft Works Plans and a Draft Development Consent Order (submitted as part of the DCO Application in August 2023), which go far beyond the standards required by legislation and guidance. These have been supplemented by public facing consultation brochures and websites to summarise this information and signpost further detail. Throughout the consultations, the project team responded to queries by phone, email, online presentations, and (after COVID-19 pandemic restrictions were lifted) in-person information events (see Consultation Report [APP-027 to APP-030]).</p>
2.2.2	<p>The Cowfold community has also experienced this effect, as frequently, attempts to gain more information from Rampion staff was not responded to, or replies were sent directing people to huge off-putting documents without reference to the specific page or paragraph, which could easily have been done. Or, as in the DCO documents, references were made saying that the relevant information could be found in a document, but the information was not there. This is much like the behaviour of the Climate Change Committee who told his staff <i>"How's this – kill it with some technical language."</i></p>	<p>The Proposed Development will help meet the urgent need for new renewable energy infrastructure in the UK and supporting the achievement of the UK Government's climate change commitments and carbon reduction objectives. The Proposed Development type is recognised as being a critical national priority in the revised National Policy Statement (NPS) EN-1 (Department for Energy Security and Net Zero (DESNZ), 2024a) and NPS EN-3 (DESNZ, 2024b), which came into force in January 2024 and are considered to be relevant to the determination of the DCO Application. This additional generating capacity will contribute towards meeting the urgent need for new energy infrastructure in the UK, provide enhanced energy security, support the economic priorities of the UK Government and, critically, make an important contribution to decarbonisation of the UK economy.</p>
2.2.3	<p>In December 2022, Kent Street resident, who had only just heard about the Rampion proposals was told "it doesn't matter if you didn't receive any leaflets because it's a National Infrastructure project and you can't stop it" In an email to her, he told her, <i>"You are correct to point out that our Works Plans from 2021 (which have not been superseded) show Kent Street subject to construction and operational access but right at the northern end. However, we are now fairly confident that the substation site will be accessed exclusively from the A272 to the north, although the final decision has yet to be made and will be published in our final proposals in spring next year. I would like to thank you for your information regarding the suitability of Kent Street for construction access and the fatalities and traffic incidents on the A272. Please note as I indicated on the phone, your views on these two issues align closely with the feedback that we have received from many of your neighbours. As a developer, we also do not wish our lorries getting stuck on Kent Street and we will be mindful of the condition of Kent Street when finalising our construction routes, which we are in the process of doing now."</i></p>	<p>The Proposed Development will contribute materially towards meeting the urgent national need for renewable electricity, significantly reducing carbon emissions from energy. The assessment set out in Chapter 29: Climate change, Volume 2 of the Environmental Statement (ES) [APP-070] concludes the Proposed Development has a lifetime greenhouse gas (GHG) emissions saving of 35,901 kilotonne carbon dioxide equivalent (ktCO₂e). The Proposed Development will continue to offset greenhouse gas (GHG) emissions until 2050, and therefore make a positive contribution the UK Government target to reach net zero emissions in 2050.</p>
2.2.4	<p>The message she took from this, as, we would argue, was his clear intention, was that he was agreeing as to the unsuitability of Kent Street for HGVs and that the lane would not be used at all for construction. This is very similar to the 'no single file traffic lights on the A272' which was trumpeted at the Cowfold Information Event in June 2023, and led many people to believe there would be no traffic lights at all.</p>	<p>Section 104 of the Planning Act 2008 outlines that the DCO Application must be decided in accordance with the relevant NPS (in this case: NPS EN-1 (Department of Energy and Climate Change (DECC), 2011a), NPS EN-3 (DECC, 2011b) and NPS EN-5 (DECC, 2011c) with NPS EN-1 (DESNZ, 2023a), NPS EN-3 (Department for Energy Security and Net Zero (DESNZ), 2024b) and NPS EN-5 (DESNZ, 2023c), that came into force in 2024, relevant considerations in the decision-making process) unless (inter alia) the adverse impacts of a proposal would outweigh its benefits. Section 5.4 of the Planning Statement [APP-036] summarises the potential environmental, social and economic benefits and the adverse impacts of the Proposed Development drawing on relevant information in line with NPS EN-1 (DECC, 2011a and DESNZ, 2023a). Section 5.5 of the Planning Statement [APP-036] sets out the planning balance where the potential benefits and impacts of the Proposed Development are weighed up. Although, inevitably, there are adverse</p>
2.2.5	<p>He also tells her <i>"First of all, we have double checked with the mailing house records and Olive Tree House on Kent Street did receive our promotional flyer in July 2021 to promote our first statutory consultation. My colleague who has the details of the addresses in receipt of the flyer for the targeted onshore consultation this October is not working on Fridays, but I can check this for you, too."</i></p>	<p>Section 5.4 of the Planning Statement [APP-036] summarises the potential environmental, social and economic benefits and the adverse impacts of the Proposed Development drawing on relevant information in line with NPS EN-1 (DECC, 2011a and DESNZ, 2023a). Section 5.5 of the Planning Statement [APP-036] sets out the planning balance where the potential benefits and impacts of the Proposed Development are weighed up. Although, inevitably, there are adverse</p>

Ref	Deadline 2 Submission	Applicant's Response
	<p>It is also clear from this that Rampion can tell which households they sent what to, so they should be asked to look at the records for who received Section 42 letters in 2021. As we have already noted, the S 42 letters are numbered. This will show that large numbers of residents in Cowfold, who should have received them, did not do so.</p>	<p>impacts associated with the scale and type of infrastructure that forms the Proposed Development, the Applicant considers that the planning balance is firmly in favour of the Proposed Development and the benefits outweigh the adverse impacts.</p>
2.2.6	<p>Another example of the Chilling Effect has been the threat of compulsory purchase if landowners refused to sign up, yet they were not being given enough information to sign up in an informed way. This was also brought up by the ExA at the hearings. Some were forced early on to sign nondisclosure agreements to prevent them even talking about Rampion wanting to purchase their land, so lived in fear and under huge stress for a long time before it became more widely known locally.</p>	<p>The Applicant has provided detailed responses to CowfoldvRampion's Written Representation [REP1-089] in Appendix A within Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030]. The Applicant has provided detailed responses to Ashurst Parish Council's Written Representation [REP1-085] in Table 2-2 within Deadline 2 Submission – 8.37 Category 8: Examination Documents – Applicant's Responses to Parish Councils and MP's Written Representations [REP2-014].</p>
2.2.7	<p>This is mirrored in the WR from Ashurst Council REP1-072</p> <p>We now have details of REDs objection to the Battery Storage Farm at Bob Lane: see Mid Sussex planning portal, DC/23/0769. Rampion's behaviour towards One Planet is very like the behaviour towards landowners raised as a matter of concern by the panel at the hearings ie threats of compulsory purchase and insufficient engagement.</p>	
2.2.8	<p>Notably absent is any Written Representation by the owner of the proposed substation site at Oakendene. Rampion suggest this is because of early engagement (see below). It is much more likely that it is out of fear of jeopardising what little he can rescue from this by signing a deal, having spent a long time accruing expenses to fight this, rather than face the utter ruination of everything his family has had guardianship over for generations</p>	
2.2.9	<p>We have felt that the whole consultation has been geared, not to a genuine desire to listen and formulate the best options, but to obfuscate and mislead. To paraphrase , ' We are fighting a multi-billion pound organisation supported by the British Government. We're just little people. What chance do we have?' Nevertheless, there is a legal process here, which must be followed if it is to have any legitimacy</p>	
2.2.10	<p>We would like to reinforce Protect Coastal Sussex' comments on the contribution to the nation's decarbonisation which Rampion claim to make. Given the UK commitment to achieve decarbonisation of the power sector by 2035, it is likely that Rampion 2 will contribute to this for just five years, from around 2030 to 2035.</p>	
2.2.11	<p>A thorough assessment of the embedded carbon emissions from Rampion 2, including those from mining, manufacturing, construction and operation and maintenance would be necessary to determine if the project's carbon reduction benefits outweigh its own carbon footprint.</p>	
2.2.12	<p>In addition, there is a trade-off between the project's carbon reduction benefits and the potential harm and disruption to ecosystems during its construction and operation, marine and terrestrial, and the extent to which they can be mitigated.</p>	
2.2.13	<p>We do not believe the benefits and contribution outweigh the carbon footprint and devastation to the future resilience of ecosystems.</p>	
2.2.14	<p>REP1-085 Cowfold PC:</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to Cowfold Parish Council's Written Representation [REP1-085] have been provided in Table 2-5 within Deadline 2 Submission – 8.37 Category 8:</p>

Ref	Deadline 2 Submission	Applicant's Response
	We wish to support the comments made by Cowfold PC. A further example of the Chilling Effect is highlighted in paragraph 8 of the Cowfold PC WR	Examination Documents – Applicant's Responses to Parish Councils and MP's Written Representations [REP2-014].
2.2.15	<p>REP1-105 Jane Lamb:</p> <p>This graphically illustrates the problems with the flooding and ground saturation at Oakendene. The Enso battery storage application is for fields to the south of the proposed substation. It is higher than the substation site, so the problems there will be worse still (21-23m above sea level compared to 16m at the substation site).</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to Jane Lambs's Written Representation [REP1-105] have been provided in Table 2-14 within Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Responses to Members of the Public and Businesses' Written Representations [REP2-029].</p>
2.2.16	In addition to this episode, residents encountered surveyors at the battery storage farm application site who had to give up in November because the ground was just too wet.	<p>The Applicant has provided detailed responses to the Examining Authority's Written Questions [PD-009] with respect to flood risk at the onshore substation site at Oakendene in relation to the Examining Authority's Written Questions FR 1.2 and FR 1.3 in Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference: 8.54) supported by Appendix E: Flood Risk Note. The Applicant has provided detailed responses to the Examining Authority's Written Questions [PD-009] with respect to flood risk at the onshore substation site at Oakendene in relation to the Examining Authority's Written Questions FR 1.2 and FR 1.3 in Appendix E FR: Oakendene Flood Risk within Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54).</p>
2.2.17	This is not just about design, but how are they going to work there or even park?	
2.2.18	There is further evidence of the unsuitability of the site from the Heritage Walkover in October 2021 and the photographic and video evidence we have provided from October to February	
2.2.19	<p>REP1-139 Paul Lightburn:</p> <p>This tells the shocking and sobering story of a laden horse transport lorry which slipped off the verge whilst attempting to pass an oncoming vehicle on Kent Street, and toppled over into one of the road side ditches. One can only imagine the terror of those horses and the injuries caused to them. And this is with the current very low level of road use.</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to Paul Lightburn's Written Representation [REP1-139] have been provided in Table 2-22 within Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028].</p> <p>The Applicant also notes a traffic management strategy to facilitate access along Kent Street by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3).</p>
2.2.20	<p>REP1-164 Sussex Wildlife Trust:</p> <p>We are disappointed that SWT make no mention of onshore ecology. However, we note their previous comments raising concerns about the ecology and habitats at Oakendene and the Cowfold Stream, and the fact that they have said they are unable to look in detail at the DCO because of time constraints and staffing shortages. Therefore, a lack of comment should not be seen as the same as 'no concerns'.</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to Sussex Wildlife Trust's Written Representation [REP1-164] have been provided in Table 2-3 within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] and Sussex Wildlife Trust's Relevant Representation [RR-381] in Table 7-7 within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017].</p>
2.2.21	<p>REP1-167 Woodland Trust:</p> <p>We strongly support the Woodland Trust in its stance on ancient and veteran trees and feel that many of their comments are directly relevant to the wildlife corridors at Oakendene, Cratemans and the green lane in between. The flora beneath is indicative of their ancient and valuable status also, with orchids, bluebells and numerous other species. The potential for trampling of sensitive ancient woodland flora and soils if access is required close to these trees is also great here, especially as the</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to The Woodland Trust's Written Representation [REP1-167] have been provided in Table 2-5 within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p>

Ref	Deadline 2 Submission	Applicant's Response
	haul road runs alongside. Noise and dust pollution impact to woodlands and hedges within close proximity of the cable installation area and haul road will be significant.	

Table 7-3 Applicant's response to CowfoldvRampion on Deadline 2 submission – Comments on any further information/submissions received by Deadline 1

Ref	Deadline 2 submission	Applicant's response
2.3.1	<p>Comments on REP1-017, Applicant's response to the relevant representations:</p> <p>Table LI21 Applicant's response to Jeremy Smethurst [RR-168]</p> <p>In the column "Land Rights Tracker Unique Ref" it actually includes the words "<i>Add standard line about consultations that has been produced for the Ips.</i>" We believe this confirms the attitude of the Applicant to the consultation and examination, which is not to make a genuine attempt to answer questions posed, but just to repeat pre-rehearsed phrases and comments.</p>	<p>The Applicant notes further responses have been provided to Jeremy Smethurst Written Representation in Table 2-13 and Table 2-14 within Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] and CowfoldvRampion's Written Representation in Appendix A within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p>
2.3.2	<p>In response to the concern that the consultation was inadequate and that he did not receive a section 42 letter until the second consultation the applicant responds "The Land Interest was consulted on that basis on 14 October 2022." This ignores the complaint that by this stage the substation site had been chosen, and therefore there was no meaningful opportunity to influence the choice. It also does not address why, when this part of the A272 had always been in the DCO boundary, no letter was sent in 2021. (LI21.2) Instead we see a tick-box response to refer to the "Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022" document at Appendix 15. This document has been critiqued in detail in the CowfoldvRampion Adequacy of Consultation Document (See CowfoldvRampion AoC Item 3 attachment 4, p29)</p>	<p>The Applicant has no further comments on this matter at this time.</p>
2.3.3	<p>L22.4: The applicant gives the reason for not putting the viewpoint in a more useful position as "it was positioned at the corner of Kent Street and the A272 for safety reasons as there is no footpath on the A272." Please refer to the viewpoint analysis taken by members of CowfoldvRampion (See REP1-089, Section 6 Appendix 1 to Addendum, p85) who walked quite safely along the entire length of this wide verge to take their photographs</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to CowfoldvRampion's Written Representation [REP1-089] have been provided in Appendix A (specifically paragraphs 6.3.10 and 6.3.11 with respect to Viewpoint SA2: A272) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p> <p>A viewpoint was considered at the new access point, but safety concerns precluded this location and Viewpoint SA2 was provided as an alternative. Significant effects from along the A272 are reported in Chapter 18: Landscape and visual impact, Volume 2 of the Environmental Statement (ES) [APP-059] and the design principles in the Design and Access Statement [AS-003] (updated at Deadline 3) and Outline Landscape and Ecology Management Plan [APP-232] (updated at Deadline 3) include mitigation and are secured through Requirements 8 and 12 of the Draft Development Consent Order [REP2-002] (updated at Deadline 3). The outline layout design shows a curved approach road to the onshore substation, so that direct views can be screened by landscaping.</p> <p>The Applicant can confirm a further viewpoint on land at Oakdene Manor on the southern side of the fence, at the access point was taken in April 2024. The provision of an additional viewpoint at this location may be useful for future detailed design although it would not alter the conclusions in Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] that significant effects on views from the A272 would occur at this point.</p>

Ref	Deadline 2 submission	Applicant's response
2.3.4	L122.7: Table 6.20 referred to in the applicant's response does not answer the question even remotely and is another example of appearing to answer, but actually to ignore a perfectly reasonable issue which has been raised. (See REP1-034 below for further comments on this)	The Applicant notes further responses have been provided to Meera Smethurst Written Representation in Table 2-17 within Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] and CowfoldvRampion's Written Representation in Appendix A within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.3.5	L122.9: The applicant does not answer the question as to whether there is any collaboration between them and the applicants for the Battery Storage Farm. Why are they not objecting to it as they have objected to another one which also overlies the potential cable route (Mid Sussex Planning Portal DM/23/0769)	The response provided in Table L122.9 also refers to the environment, disturbance and terrestrial ecology themed responses provided in Tables 6-2 and 6-3 within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] .
2.3.6	Tables 6.2 and 6.3, referred to for further information, do not give any. They simply repeat what has already been said, there is no meaningful attempt to actually answer the questions posed.	The Applicant has no further comments on this matter at this time
2.3.7	<p>Table LI22 Applicant's response to Meera Smethurst [RR-236]:</p> <p>LI22.5: We are delighted that the applicant recognises at last that accident rates are of significant concern on the A272 <i>"This identified that the A272 between the A281 and A23 has a higher accident rate than the national average for rural A-roads."</i> However, they still fail to understand that a large proportion of those accidents actually occur on the stretch of road which encompasses Kent Street, A63 and A62.</p>	
2.3.8	LI22.7: <i>"The reference to Wineham Lane being a single-track road was an error which has been corrected in the latest version of the Outline Construction Traffic Management Plan (CTMP) [PEPD-035a]."</i> Whilst the removal of Wineham Lane from Table 5-2 (3) is to be welcomed, this admission is truly astonishing as it formed a significant part of the argument for not choosing Wineham Lane as the substation site. The width and therefore unsuitability of Wineham Lane is now not even mentioned in Rampion's engineering constraints (see REP1-021)	
2.3.9	Regarding UKPN's underground cable the applicant is "The Applicant is in discussions with UKPN. The protection of existing UKPN infrastructure will be ensured through DCO Protective Provisions." We would like to know when this discussion began and whether it was before the substation site was chosen. We must be able to understand what implications there are for disruption of the A272 and limitations on the design and landscaping of the site.	
2.3.10	LI22.10: The applicant says that the question is dealt with in Table 6-7 but there is no attempt at all in the table to answer the issues raised regarding people being unable to move into residential care.	
2.3.11	<p>Table LI27 Applicants Response to Janine Creaye [RR-164]:</p> <p>LI27.1: The applicant states that her concerns are addressed in Table 6-3. There is no reasonable attempt to address any of them in this table</p>	<p>The Applicant acknowledges the comment from CowfoldvRampion and notes that responses to Janine Creaye's Relevant Representation [REP1-167] have been provided in Table LI27 within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017]. The response provided in Table LI27 also refers to the ecology themed responses provided in Table 6-3 within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] which includes responses related to the impacts on terrestrial ecology, wildlife and biodiversity, migrating birds and insects, trees and hedgerows and nightingales.</p> <p>The Applicant has also provided further detailed responses to Janine Creaye's Written Representation in Table 2-15 within Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Responses to Members of</p>

Ref	Deadline 2 submission	Applicant's response
2.3.12	<p>Table LI33 Applicant's Response to Emily Mulcare-Ball [RR-113]:</p> <p>LI33.1: <i>"Traffic volumes on Kent Street have been observed and presented in the Chapter 23: Transport, Volume 2 of the ES [APP-064]. In fact, there does not appear to be any reference to observed volumes on Kent Street."</i></p>	<p>the Public and Businesses' Written Representations [REP2-029] and CowfoldvRampion's Written Representation in Appendix A within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p> <p>Traffic surveys undertaken between 18 and 25 October 2023 (excluding data collected between the 20 and 22 October 2023 when an accident occurred on the A272 closing the road) have been utilised for the base traffic flows on Kent Street. These traffic surveys were collected as part of the planning application for the Enso Battery Storage System located west of Kent Street (Planning Application Ref: DC/24/0054).</p> <p>Kent Street carries only low volumes of traffic, with an average annual weekday two-way traffic flow of 96 vehicles (of which 24 were Other Goods Vehicle's (OGVs)/HGVs) recorded in the survey. The following documents have been updated and submitted at Deadline 3 to reflect the revised traffic flows on Kent Street:</p> <ul style="list-style-type: none"> • Outline Construction Traffic Management Plan [REP1-010]; and • Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the Environmental Statement (ES) [REP1-008].
2.3.13	<p>Table 3-7 Applicant's response to Cowfold Parish Council [RR-083]:</p> <p>2.17.3: we strongly object to the wording of the response which is in our view deliberately misleading: <i>"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 Outline CTMP [PEPD-035a] 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."</i> The implication of this is that Rampion have somehow managed to remove an additional 22,000 HGV trips from the AQMA. This is simply not true as Table 5-3 has not been altered in the updated document so the numbers are as they have always been.</p>	<p>The Applicant has provided responses to Cowfold Parish Council's Written Representation in Table 2-5 within Deadline 2 Submission – 8.37 Category 8: Examination Documents – Applicant's Responses to Parish Councils and MP's Written Representations [REP2-014].</p> <p>The Applicant has also provided further response to CowfoldvRampion's Written Representation (in particular Section 10 'Traffic and Transport') in Appendix A within Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p>
2.3.14	<p>The next paragraph is too vague using terms such as 'discouraged' and 'assumed'. Any commitment to avoid the AQMA must be concrete.</p>	<p>With regards to the commitments to avoid Cowfold village and the Air Quality Management Area (AQMA) included within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), the removal of 22,000 HGVs refers to the total number of movements which could pass through the village if commitments C-157 and C-158 were not in place (Commitments Register [REP1-015] updated at Deadline 3) rather than an update being applied to Table 5.3. This means that heavy goods vehicles (HGVs) will only route through the village centre</p>
2.3.15	<p>Please note there is no commitment for LGVs and delivery vehicles to avoid the AQMA. Whilst they may be given routes, we all know that delivery drivers will take what they perceive to be the quickest options. Also, presumably the delivery vehicles will not be marked as Rampion vehicles as they will belong to other companies.</p>	

Ref	Deadline 2 submission	Applicant's response
2.3.16	Please note that the traffic numbers for 'The A272 Bolney Road east of Cowfold Village centre (Receptor E)' is only for the traffic coming from the A24 direction as it is the same as the numbers on Station Road. These vehicles will be trying to turn across the traffic to enter the Oakendene compounds and meeting others coming from the A23 and Wineham Lane from the east and both trying to get in and out of the compounds	for trips related to accesses A-56 or A-57 or where use of locally sourced materials / equipment make its avoidance impracticable.
2.3.17	If vehicles are waiting to enter the eastern Oakendene compound A63) any traffic leaving Picts Lane or Kent Street to the east, or Coopers Farm, Applecross and Wealden Barn to the west will be doing so completely blind to what is coming from the other side as the view will be blocked by the HGVs waiting to turn. This is already an extremely dangerous spot. Rampion's suggestion that this can be safely managed without traffic lights is ludicrous	With regards to road safety, it is proposed as part of Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) to implement a 40mph speed limit along the A272 (in place of the existing national speed limit) for the duration of the construction programme. This will reduce stopping sight distances for all vehicles and assist with turning movements to / from the A272.
2.3.18	Rampion do not answer the question about staff traffic at all. But based on the numbers for the smaller Rampion 1, we estimate approximately 350 staff vehicles will be arriving at the compounds each day; all, if Rampion are to do what they say, arriving in the shoulder hours of 7-8am and leaving between 6-7pm, and attempting to turn in and out of the compounds. In addition, the figures they do give for HGVs and LGVs are averaged across the day, but in practice this will not happen, but will most likely occur at peak hours also.	Staff movements have been taken into account within assessments included within Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] , which concluded that the Proposed Development would not generate only very limited significant effects in relation to users of the transport network. These assessments assume a worst-case scenario where all staff drive to each temporary construction compound in single-occupancy vehicles and assumed no reduction in traffic generation that may be associated with use of multi-occupancy vehicles.
2.3.19	The air quality impact assessments they make at the end of section 2.17.3 are flawed and likely to be significantly underestimated, as they do not take into account the fact that traffic flow is at capacity at this point, when traffic is not flowing pollution is not dispersed, and stop-start traffic movements are more polluting than when traffic flows freely.	
2.3.20	Table 3-14 Applicant's Response to Shermanbury Parish Council [RR350]: 2.24.2: The HGV traffic to access A-64 is estimated to be 55 HGVs per day at peak times, in addition , peak week traffic to A-64 is 28-31 HGVs a day. Overall, the use of Kent Street is estimated (note, this is not a guarantee it won't be longer, or indeed there won't be more vehicles). Compare this to the usual HGV traffic of 0-2 /day (see Enso Energy figures, and detailed assessment of them in REP1-115). Whilst each peak week period may only last for a few weeks there are to be multiple peak week periods throughout for each of the access points. (NB There is a typo in the first paragraph on p 176; we believe the ' Access A64 located 700m south of the A272' should be A61.)	The estimate construction traffic peak week for Kent Street is 60 vehicles, which will include 55 heavy goods vehicle's (HGVs) as stated in Chapter 32: ES Addendum, Volume 2 of the Environmental Statement (ES) [REP1-006] and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] (updated at Deadline 3). This peak in traffic is anticipated to occur in week 162 of the construction programme. The peak week of construction traffic associated with access A-61 is 31 vehicles including 28 HGVs, during week 146 and 147 of the construction programme. Construction traffic use of accesses A-61 and A-64 will not overlap as relate to different construction activities.
2.3.21	Moreover, no mention is made of the LGVs, personnel vehicles or delivery vehicles which may in addition use this route	Staff and light goods vehicles (LGV) movements have been taken into account within these construction traffic estimates and assessments included within Chapter 32: ES Addendum, Volume 2 of the Environmental Statement [REP1-006] .
2.3.22	The applicant says that Access points A-61 and A-64 are north of residential properties. This is incorrect; Southlands, Oaklands and 5-6 properties down a small entrance just beyond, including Delspride, Ridgelands and Westridge Farm, all fall within the DCO limits on Kent Street, plus Kings Barn and all the residents on Kings Lane are just beyond, all of whom will be severely affected.	
2.3.23	Rampion say they will produce a Traffic Management Plan for Kent Street for Deadline 3 in April. It is difficult to imagine how this number of HGVs and other vehicles can be managed on this tiny lane without blighting the lives of the residents for 38 weeks or more. We will be asking residents for their views and requesting that they also share them with Shermanbury and Cowfold Parish Councils.	The Applicant notes a traffic management strategy to facilitate access along Kent Street by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3).
2.3.24	2.24.3: we are shocked by the refusal of Rampion to consider a holding bay for construction traffic, despite the need for it being so ably explained by Bolney Parish Council after their experiences of	The Applicant understands that a heavy goods vehicle (HGV) holding area was required for the Rampion 1 project given the need for all construction vehicles to

Ref	Deadline 2 submission	Applicant's response
	Rampion 1. This demonstrates a continue lack of understanding of how the traffic actually behaves on the A272.	access the substation and compound on Wineham Lane. As the Proposed Development includes the onshore substation at Oakendene and compound that can be accessed directly from the A272, (which forms part of West Sussex County Council's lorry route network) it is not considered necessary to implement an HGV holding area.
2.3.25	2.24.4: this 'plan' to allow access to people's homes is totally inadequate and disappointing. How do people get to work or school? A resident is currently needing to attend chemotherapy three days a week. How do emergency services gain access? (a '3-month advance notice' is not going to help!). Farmers have raised concerns that horses, which must use this lane daily cannot walk over metal sheeting because of slipping and injury	<p>The strategy to maintain private means of access is described in Section 5.7.10 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3). The following general principles will apply to the managed or private means of access during the onshore cable route construction:</p> <ul style="list-style-type: none"> • 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; • All crossings of private means of access will be developed to allow emergency access at all times; • 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; • 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; • Any access restrictions or closures will be communicated to all residents and businesses with affected rights of access; and • 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. <p>Plating over a construction site, such as a cable trench is a commonly applied technique in highways construction. The Applicant will ensure that regulatory guidance such as British Standard (BS) BS:5975:2008+A1:2011 and TAL6/14 are followed. There may be short waiting times for vehicle traffic to allow construction workers to put road plating in place.</p>
2.3.26	<p>Table 7-11 Applicant's response to CowfoldvRampion</p> <p>NSB11.1: regarding the lack of consultation, the consultation report is APP-027 not APP-026[more lack of attention to detail] and p 35 is simply a repetition of what they have said before. Neither it nor the applicant's response at NSB 11.1 address the fact that all meaningful consultation with Cowfold took place after the substation site was chosen.</p>	<p>The project has been subject of multiple rounds of iterative consultation with local people and environmental authorities (through statutory and non-statutory consultation as detailed in Section 5.9 of Chapter 5: Approach to the EIA, Volume 2 of the Environmental Statement [APP-046]). This process, and evidence of regard had to consultation responses, is set out in the Consultation Report [APP-027].</p> <p>The Applicant notes that reference is being made to responses provided to CowfoldvRampion's Relevant Representation in Table 7-11 (NSB11.1) within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] and that further responses with respect to consultation have been provided by the Applicant to CowfoldvRampion's Written Representation in Appendix A (Section 13) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p>

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2.3.27	NBS11.4 “Of the four receptors assessed, the A272 Bolney Road east of Cowfold Village centre is the closest to the Oakendene construction compound. As part of the Proposed Development this is forecast to experience an average weekly flow of 39 HGVs, equivalent to an increase of 5.5% or 3-4 per hour.” This must be an error: 39 HGVs is far too low to account for 3-4 per hour. Nor does it take into account the fact that they won't be ‘flowing’, but crucially, turning in and out of 3 very closely located points.	The Applicant notes that further responses with respect to transport have been provided to CowfoldvRampion's Written Representation in Appendix A (Section 10) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.3.28	NSB11.5: Rampion continue to dismiss any economic impacts in relation to the substation construction. Traffic numbers per se are insufficient, as they do not take congestion into account, only look at HGVs, and in the case of Oakendene Industrial Estate, they do not consider the offputng effect of the huge compound and comings and goings of vehicles from it.	The assessment of peak construction traffic flows at receptor E ‘Bolney Road, east of A281’ is provided within Table 2-17 of Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] . This shows a construction traffic flow per weekday of 89 vehicles, of which 39 will be HGVs. Based upon the working hours of the Proposed Development, this results in an average HGV flow of 3-4 vehicles per hour.
2.3.29	NSB11.10 and 11: We strongly dispute Rampion's assertion that the impact on nightingale habitats will be minimal: “Although there will be loss of hedgerow and scrub between the A281 and the onshore substation at Oakendene, it is restricted and in locations that are less likely to support nightingale.” On the contrary, the cable route almost exactly follows the best nightingale territories, and the addition of the haul road further results in habitat destruction, which is irremediable.	The Applicant notes that reference is being made to responses provided to CowfoldvRampion's Relevant Representation in Table 7-11 (NSB11.10 and NSB11.11) within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] and that further responses with respect to nightingales and habitats have been provided by the Applicant to CowfoldvRampion's Written Representation in Appendix A (Section 9) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.3.30	“Based on areas where density of nightingale are high (e.g. active Ministry of Defence training facilities at Lodge Hill, Kent and Wakering Stairs, Essex) and levels of potential disturbance are great (including active artillery ranges) temporary construction disturbance (which will move rapidly along the onshore cable route) is not considered to be of particular concern for the temporary construction activities associated with the installation of onshore cable corridor for Rampion 2.” This is totally misleading. These sites are not full of tanks and huge vehicles, they are training areas, with huge safety zones where nobody is allowed to go, and are full of nightingales precisely because, like the area in Cowfold, they do not have much traffic or disturbance. Lodge Hill has in fact been under threat of development and a fear that these habitats will be disturbed and lost. The cable might be pulled through relatively quickly as they say, but the haul road will do untold damage. None of the hedges or scrub patches are scheduled for trenchless crossings and even if they were, the need for vehicular access negates this.	
2.3.31	Why should nightingales choose to breed in planted mitigation scrub close to a humming, vibrating substation, with artificial light at times in the night? And in a place which has lost connectivity with other habitats? Like at Lodge Hill, they chose their current breeding sites precisely because of their distance from human interference.	
2.3.32	NSB11.19: The persistent equating of Kent Street and Wineham Lane as ‘single track lanes’ has been a source of contention for us throughout the consultation, and avoidance of ‘single track lanes such as Wineham Lane’ has been a cornerstone of the reasons given for choosing Oakendene over Wineham Lane. Yet now “Reference to Wineham Lane (South of A272 – accesses AA-67 and AA-68 in Table 5-2 (Avoidance of narrow rural roads (single track roads)) within the Outline CTMP [PEPD-035a] has now been removed.” It seems the applicant can pick and choose reasons to suit the situation	The Applicant notes that reference is being made to responses provided to CowfoldvRampion's Relevant Representation in Table 7-11 (NSB11.19) within Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] and that further responses with respect to alternatives have been provided by the Applicant to CowfoldvRampion's Written Representation in Appendix A (Section 3) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] . As requested by the Examining Authority at Issue Specific Hearing 1, the Applicant has provided further information on the decision to discount the Wineham Lane North site for the onshore substation (Deadline 1 Submission – 8.25.2 -

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2.3.33	We have made no further attempt to review more responses to Cowfold Representations as the applicant simply reproduces standard template answers which do not address the issues and are repetitive. In our view, this behaviour holds the examination process in contempt.	<p>Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 – Further information for Action Point 4 – Wineham Lane North [REP1-021]).</p> <p>The Applicant has provided numerous responses to a large volume of submissions made by CowfoldvRampion and is satisfied that these have been given appropriate due regard.</p>
2.3.34	<p>REP1-034, Applicant's response to deadline A:</p> <p>Response to CowfoldvRampion Para 2.3.1 With regards to the UKPN cable, the applicant's response is: "<i>The Applicant is seeking an engineered solution with UKPN ...</i>" This is the first time Rampion have acknowledged the existence of this cable. We have to ask, when did discussions commence? Why do they not feature in the engineering constraints assessment of Wineham Lane North? (see REP1-021 below) The answer is because they didn't know, because they hadn't consulted with us before the site was chosen.</p>	<p>The Applicant notes that the UK Power Networks (UKPN) 132kV cable is a known technical constraint of this site. The power to alter existing apparatus, including cables, is included in the Draft Development Consent Order [REP2-002] (updated at Deadline 3) as 'further works' within Schedule 1 Part 1.</p>
2.3.35	<p>Response to Janine Creaye Para 2.13.2. The applicant confirms her point that no reptile surveys were done on the cable route but does not give an adequate explanation why, particularly when she had given evidence of them at Cratemans. Nor do they explain why they only found such a low number of nightingale sites. Instead, they say: "Breeding bird surveys were undertaken following standard industry practice. The survey is focused on a particular location, as opposed to the whole area, as it is focused on identifying birds where a potential effect may be understood. Further, the nature of all biodiversity surveys is that they are focused on sampling, as opposed to a full identification of all territories present." This is an unacceptable answer, when she had clearly directed them to 'where a potential effect may be understood'. And again, choice of sites must surely be influenced by detailed evidence such as hers, yet it was ignored.</p>	<p>The Applicant is satisfied that the level of field survey undertaken is proportionate to the type of activity proposed and allows a robust ecological impact assessment to be carried out. The Applicant notes that neither Natural England nor Horsham District Council have highlighted a lack of survey information in general as an issue, acknowledging that Horsham District Council have questioned whether additional survey information for the Oakdene construction compound is required. It is noted that the approach to baseline data collection and the interim results of the surveys were shared on a number of occasions with the Expert Topic Group (see Section 22.3 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement [APP-063]) to gauge their opinion, amongst other matters, on adequacy of survey effort.</p> <p>The Applicant acknowledges the comment from CowfoldvRampion and notes detailed responses to CowfoldvRampion's Written Representation [REP1-089] have been provided with respect to terrestrial ecology in Appendix A (Section 9) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].</p>
2.3.36	<p>Response to Jeremy Smethurst 2.10.1. The applicant was asked why HDC had not been invited to the flood risk assessment ETGs until after April 2022 as clearly shown on page 9 of the applicant's own document. Their reply was: "The Applicant has been engaging with Horsham District Council since 26th March 2020. This was a meeting with local authorities to introduce Project areas of search, engagement and consultation plans alongside broad timetable." This is not an adequate explanation as Mid Sussex were involved at the time. The applicant completely fails also to answer the question as to where the missing minutes are.</p>	<p>In addition to the written consultation process which has presented detailed proposals and requested feedback, the Applicant has undertaken engagement through the Evidence Plan Process including Expert Topic Group (ETG) meetings with technical stakeholders, including local authorities. The minutes of these meetings are presented within the Evidence Plan [APP-243-253]. As previously noted in response 2.9.52 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Responses to Members of the Public and Businesses' Written Representations [REP2-029], West Sussex County Council (WSSCC) are the acting Lead Local Flood Authority who have formal responsibilities for managing local flood risks and have been attendance at the ETGs throughout the Evidence Plan process. In parallel, data requests were sent out to local authorities and WSSCC in order to gather any records of historic flooding within the search area at the time. HDC were also provided opportunities to comment on</p>

Ref	Deadline 2 submission	Applicant's response
		<p>the Water environment Chapter and Flood Risk Screening Assessment at the Scoping stage in July 2020 and at the Preliminary Environmental Information Report (PEIR) stage during the first Statutory Consultation exercise feedback exercise from 14 July to 16 September 2021.</p> <p>Also as previously noted, in response 2.9.52 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Responses to Members of the Public and Businesses' Written Representations [REP2-029], WSCC as the Lead Local Flood Authority (LLFA) was consulted on 01 April 2022 to gain feedback on the Preliminary Environmental Information Report (PEIR). The Applicant was made aware in advance of the meeting (during data request correspondence) 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 MSDC for the 01 April 2022 meeting. At that meeting in April 2022, the Applicant was subsequently made aware that an informal agreement between WSCC and Horsham District Council (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. Following the meeting with the HDC flood risk officer commented on 19 July 2022 that having reviewed the Flood Risk Screening Assessment he had “no adverse comments or observations to the flood risk information presented.”</p> <p>At a recent Flood Risk and Drainage Expert-to-Expert meeting with WSCC and HDC on 27 February 2024, the Applicant asked whether the informal arrangement between WSCC and HDC, for HDC to support WSCC in their LLFA responsibilities (as had been advised during the June 2022 consultation meeting), remained in place. HDC and WSCC confirmed that HDC's personnel undertaking the aforementioned support is no longer in post, and thus the informal arrangements were no longer in place. WSCC confirmed that all LLFA responsibilities would be performed by WSCC. The final meeting minutes for the meeting with WSCC and HDC are provided in Annex C of the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference: 8.54) submitted at Deadline 3. The final meeting minutes for the meeting with WSCC and HDC are provided in Annex C of the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3.</p>
2.3.37	<p>Response to REP1-021, Applicant's post-hearing submission Wineham Lane North</p> <p>1.3.2 “there is no general requirement for assessing alternatives, nor is it necessary for the project to choose the best option from a policy perspective.” The nation would surely be appalled to discover that the applicant is only concerned with profit and convenience in its decision making, and has no interest in communities or the very ecology the project aims to preserve by reducing climate change. Moreover, the overarching National Policy statement EN-1 2023 4.2.15 states that “Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial</p>	<p>As requested by the Examining Authority at Issue Specific Hearing 1, the Applicant has provided further information on the decision to discount the Wineham Lane North site for the onshore substation (Deadline 1 Submission – 8.25.2 – Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 – Further information for Action Point 4 – Wineham Lane North [REP1-021] submitted at Examination Deadline 1).</p> <p>The Applicant notes that further responses with respect to alternatives have been provided to CowfoldvRampion's Written Representation in Appendix A (Section 3) within Deadline 2 Submission – 8.53 Category 8: Examination Documents –</p>

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	feasibility. "In addition, the cable route runs through the SDNP, meaning that there is a requirement to consider alternatives.	Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030].
2.3.38	1.3.4 The appraisal of each site was undertaken using a multi-disciplinary analysis to consider engineering, environment, landowner matters and cost following a rating system of Black, Red, Amber and Green (BRAG). This included consideration of data collected by the Applicant and information provided via consultation	
2.3.39	Engineering constraints: 1.3.8 To inform this process, outline engineering layouts were developed to provide further detailed consideration of how the sites could meet the engineering technical requirements within the identified site areas shown on Figure 3.10a of Chapter 3: Alternatives – Figures, Volume 3 of the ES [APP-044]. Figure 3.10a is simply a map of the 3 substation sites at Oakendene and Wineham. Nowhere are the engineering layouts shown.	
2.3.40	1.3.10 "The engineering assessment of Wineham Lane North concluded the site would be unsuitable due to the more confined space, particularly on the north – south axis". We do not find this argument credible as substation units are modular, albeit interconnected. We believe 'might have been less straightforward' is likely to be a more accurate representation of the true situation rather than 'the site would be unsuitable'. In other words, it is a 'nice to have' decision rather than a game-changer. Otherwise, how can it be compatible with only a 'marginal preference' for Oakendene?	
2.3.41	1.3.13 The Wineham Lane North site is in close proximity to a National Grid 400kV overhead line tower. Any construction activities in the proximity to the overhead line or the tower would have presented an additional level of health and safety risk, irrespective of mitigation and precautionary actions. The overhead lines are at the extreme edges of the site. This is probably less of a risk than the lines over the Oakendene west compound which is to be extensively used.	
2.3.42	1.3.14 and 1.3.15 We do not find these arguments convincing as they had already dealt with these issues at the much narrower access from Bob Lane for Rampion 1	
2.3.43	1.3.16 and 1.3.17 imply that cost was the most significant factor regarding the points discussed in these two paragraphs. The slope of the land at Wineham Lane as shown by contour maps is only slightly greater than at Oakendene. A significant slope across the small area of the site did not prevent them from choosing to site Rampion 1 at its current location	
2.3.44	1.3.19 Visual consideration with regards to association with the main substation appears to have been adequately managed for Rampion 1	
2.3.45	The engineering constraints arguments seem weak to us and to have been thought up retrospectively. There is a lack of evidence or detail to substantiate what is said now beyond what was said at the hearing.	
2.3.46	No mention is made of the flood risk assessment or the underground cable at Oakendene. When Cowfold residents first became aware of the consultation in October 2022, both these issues were raised at the meeting held in Cowfold in November 2022 and appeared to be news to the Rampion team. If any meaningful consultation had taken place before, it would have surely featured in the engineering considerations. When did discussions with UKPN first begin we wonder? What are the implications for disturbance to the A272 or to the design for the substation. In addition the applicant now admits that Kent street is not suitable 'in its current form' for construction traffic. Surely these	

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	alterations are also likely to cause delays, as is claimed for any landscaping and levelling at Wineham Lane North? In any case, in a project of this duration, the work needed at Wineham cannot be claimed to extend the overall duration of the construction time, possibly only of the substation itself.	
2.3.47	<p>Landowner engagement:</p> <p>Rampion say a main reason for rejecting Wineham Lane North was the number of "potential developments which were entering the planning stage." None of these developments are even now consented. Indeed, Rampion continues to object to the remaining One Planet Battery Storage scheme (Mid Sussex Planning portal planning reference DM/23/0769.) and to threaten them with compulsory purchase, which is of course what they could have done to any of them, so again, shareholder profit is the likely main reason for this decision.</p>	<p>The Applicant previously provided detailed and extensive information in advance of the Development Consent Order (DCO) Application submission to support consultations, including Preliminary Environmental Information Reports (published 2021, 2022, and 2023), draft Works Plans and a Draft Development Consent Order (submitted as part of the DCO Application in August 2023), which go far beyond the standards required by legislation and guidance. These have been supplemented by public facing consultation brochures and websites to summarise this information and signpost further detail. Throughout the consultations, the project team responded to queries by phone, email, online presentations, and (after COVID-19 pandemic restrictions were lifted) in-person information events (see Consultation Report [APP-027 to APP-030]).</p>
2.3.48	<p>1.3.25 "At Oakendene, engagement at the point of site selection." There had been no initial engagement as the applicant knows, because letters sent to the property had gone unheeded for reasons we prefer not to disclose, but which are known to the applicant. Engagement at the point of site selection was too late to influence the decision; it had already been made. The implication of paragraphs 1.3.25 and 1.3.27 is that somehow the landowner was happy to consider Oakendene as the site, Why then, according to the minutes of the Cowfold parish council for November 2021 was he appealing to them to help him prevent it? "Item 9[of the Cowfold PC minutes]. Rampion 2: circulated a copy of the Oakendene Enterprise Park proposal, presented it to the Members and shared his thoughts as to why Rampion should not locate their substation on his land on the corner of Kent Street and the A272." It is much more likely that, when confronted with the threat of compulsory purchase, he understandably sought to avoid it when he felt he couldn't prevent the application, in an effort to preserve what he could of the estate.</p>	
2.3.49	<p>The fact that discussions have been ongoing and a deal has now been signed, is irrelevant to the consideration of alternatives as it had not even begun to be near a deal when the decision was made.</p>	
2.3.50	<p>Environmental considerations:</p> <p>It is disappointing that there is no new actual evidence here, even though this is what they were asked to provide; we had hoped to see dates and results of comparative studies. The evidence from their studies, now completed, suggests there is a huge difference in ecological importance between the two sites. For instance, there will be a huge tree loss at Oakendene, many of major significance. It is not clear how the assessment of alternative sites considered tree values at a site level, to inform design layout and therefore site selection as recommended within BS5837:2012. Therefore, it is not apparent that trees have been considered appropriately when selecting the substation site.</p>	<p>The Applicant is satisfied that the level of field survey undertaken is proportionate to the type of activity proposed and allows a robust ecological impact assessment to be carried out. The Applicant notes that neither Natural England nor Horsham District Council have highlighted a lack of survey information in general as an issue, acknowledging that Horsham District Council have questioned whether additional survey information for the Oakendene construction compound is required. It is noted that the approach to baseline data collection and the interim results of the surveys were shared on a number of occasions with the Expert Topic Group (see Section 22.3 of Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the Environmental Statement [APP-063]) to gauge their opinion, amongst other matters, on adequacy of survey effort.</p>
2.3.51	<p>Also, we agree with WSCC that insufficient consideration has been afforded to the historic environment in consideration of substation location alternatives. No evidence has been provided by Rampion to contradict this view.</p>	
2.3.52	<p>1.3.30 As we have already pointed out the desk top surveys were almost non-existent for Oakendene but pretty extensive for Wineham. This led to flawed choices for the Phase 1 surveys. The applicant also does not say whether all the Phase 1 surveys were completed before the choice was made or adequate (see CowfoldvRampion Impact Statement for further analysis of this). Also, no mention is made of taking Janine Creaye's data into account. We had expected to see the results and timings of these surveys, not just a reiteration of the fact that they were done.</p>	<p>The Applicant has provided a detailed response to the Examining Authority's terrestrial ecology Written Question TE 1.1 'Ecological Surveys in the Vicinity of the Proposed Substation Location at Oakendene and Cable Route Leading to this Site' [PD-009] in the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference: 8.54) submitted at Deadline 3. The Applicant has provided a detailed response to the Examining Authority's terrestrial ecology Written Question TE 1.1 'Ecological Surveys in the Vicinity of the Proposed Substation Location at Oakendene and Cable Route Leading to this Site'</p>

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2.3.53	<p>If they had genuinely come to the conclusion that there was little difference ecologically, they could not have had access to all the data that they have now presented. The surveys that they have now presented show a dramatic difference in the biodiversity between the two sites. Oakendene and the cable route have some of the most species rich areas on the route, better even than some of the designated areas.</p> <p>We must be able to see an ecological comparison between the two sites and the dates when the relevant surveys were done.</p>	<p>[PD-009]) in the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54) submitted at Deadline 3. This includes details on the following:</p>
2.3.54	<p>Our review of the reports they mention in 1.3.30 shows the following:</p> <ul style="list-style-type: none"> • Breeding Birds: not completed until 2023, long after the decision was announced to use Oakendene in July 2022. Access restricted at Oakendene and Cowfold Stream area • Reptiles: Full survey for Wineham done for Rampion 1. Field surveys done at Oakendene Sept-Oct 2021 not at optimal time of June-August and October. Despite Refugia being much less dense at Oakendene, the only positive recordings were at Oakendene apart from 1 juvenile at Wineham. • Bats: Figures 2.17.2 a-h show large amount of Oakendene land was not surveyed and there were a high number of passive detector faults at Oakendene in 2021 • Dormouse: surveys not started until October 2022. Oakendene was the only place they were found • Otter and vole: not done until 2023. Oakendene was the only location where otter was found, and one of the very few to have water voles. • Great crested newt: a large part of Oakendene land not accessible until 2022-2023. Large number of degraded or inconclusive samples at Oakendene, yet even so, 18 of the 36 positive results across the whole survey were at Oakendene, Kent Street and Cowfold Stream area • Hedgerows: The phase 1 habitat survey was done between 2020 and 2023, a number of hedges here were not accessed properly, yet 8/14 important hedges are here, and 622m of hedge are to be lost at Oakendene <p>This does NOT support their statement that adequate comparative surveys were carried out.</p>	<ul style="list-style-type: none"> • The type of survey; • Date and timings undertaken; • Level of qualifications and experience of those who undertook the surveys; • Whether the surveys were desktop or field surveys; • Guidelines followed and any deviations from the stated methodology; duration of surveys and frequency of data collected; and • Quality of the data collected, including details such as whether field monitors were in working order throughout.
2.3.55	<p>1.3.31 "For terrestrial ecology, there was no material difference in the likely significant effects between the Wineham Lane North site and Oakendene when considering this survey information" They do not provide any evidence for this, and the actual results, see above, are dramatically different, showing that the survey assumptions must have been flawed, due to the overreliance on desk top surveys to inform them.</p>	
2.3.56	<p>From REP1-033 (see below) "<i>The habitats to be lost at Oakendene includes native hedgerow of 622m.....</i>". There is an enormous amount of significant habitat loss. Nothing the applicant says here justifies this choice.</p>	
2.3.57	<p>Overall, there is very little which is new here, compared to what was said at the hearing. Much of it sounds retrofitted after the event, making the case to suit the preferred option.</p>	
2.3.58	<p>Where is the mention of 'single track lane's such as Wineham Lane's' unsuitability for construction traffic, a cornerstone of the arguments in the Alternatives Chapter. Instead, now we see an acknowledgement, in the applicant's response to RR-236 above, that this is no longer a factor. "LI22.7: The reference to Wineham Lane being a single-track road was an error". But a highly convenient one at the time, and again demonstrating how little engagement there had been with Cowfold at that time</p>	

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2.3.59	There is still no consideration here of social, economic or health impacts, and nothing to explain the 'marginal preference' for Oakendene as stated in the Consideration of Alternatives document.	<p>The Applicant notes that further responses have been provided by the Applicant to CowfoldvRampion's Written Representation in Appendix A within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] which includes the following topics:</p> <ul style="list-style-type: none"> • Alternatives (Section 3); • Economic consequences of the onshore substation at Oakendene (Section 5); • Landscape and visual impact (Section 6); • Air quality and pollution (Section 7); • Ecology (Section 9); • Traffic and transport (Section 10); • Assessment of consultation reports (Section 13); and • Onshore substation design and access. <p>Please also see responses in references 2.3.3, 2.3.47 and 2.3.50 above.</p>
2.3.60	<p>REP1-033, Applicant's post hearing submission ISH1:</p> <p>Agenda Item 2: Alternatives</p> <p>The decision to progress Oakendene was driven by 3 factors (1) space confined at Wineham Lane so there was insufficient space, which would have created issues with installing infrastructure and certifying site the site as compliant, and providing the necessary environmental mitigation [This is not consistent with a 'marginal preference' for Oakendene] (2) landowner engagement. Wineham Lane had numerous developments entering planning application (subject to screening at time the sites were considered). An application for a battery energy storage system came forward on the Wineham Lane site in March 2023. The Applicant noted the Wineham Lane site was more likely to have required use of compulsory purchase powers since there had been more successful engagement from the relevant Oakendene landowners, and contracts have been exchanged to acquire the land on a voluntary basis in the previous week[the battery storage farms are still not consented , and Oakendene has been exchanged only in the last few weeks so this is irrelevant to a decision made in 2022] (3) There were also environmental constraints which the ExA requested was provided in writing under AP4. [See REP1-012 above-these arguments are weak and unconvincing]</p>	
2.3.61	The Applicant also noted in relation to point (2) above that the Wineham Lane site was more likely to have required use of compulsory purchase powers since there had been greater engagement from the relevant Oakendene landowners, and contracts had been exchanged to acquire the land on a voluntary basis in the previous week. In response to comments made by Interested Parties that the Oakendene site had been the subject of a proposed community development, the Applicant noted that the schemes that had been referred to were not represented in the planning system. [No, but if they had been in discussion as claimed with the Oakendene landowner, they would have known all about them]	
2.3.62	An application for a battery energy storage system came forward on the Wineham Lane site in March 2023. [how is this relevant to a decision made in 2022?]	
2.3.63	<p>Agenda item 4: effect of substation at Oakendene</p> <p>i) Traffic: "On Kent Street generally, the Applicant agreed that this was not suitable for construction traffic in its current form, hence why it was looking at appropriate traffic management measures to ensure that it can be accessed safely." It is unacceptable that the applicant has refused to engage with residents until now on this, nor does it explain why Wineham Lane, was considered 'unsuitable' from the start</p>	
2.3.64	ii) "It noted that LGV are not currently subject to the AQMA commitments but that these ought not to be moving in peak hours" Why are they excluded; this is not rational given their numbers and potential to lead to tailbacks. 'Ought not' is not a commitment that they will not and should be made so.	
2.3.65	v) We do not find the applicants argument that it had been unable to get access to take viewpoints from the manor house to be credible, given the extent to which the property has been accessed for surveys.	

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2.3.66	vii) <i>"The Applicant confirmed that a range of surveys had been carried out in 2020 and 2023, including a Phase 1 Habitat Survey, a hedgerow survey in accordance with the Hedgerow Regulations 1997, an arboricultural survey, alongside a range of other species specific surveys such as great crested newt, breeding bird and reptile survey."</i> This is at odds with the claim in REP1-034 that these surveys had been completed by the time the substation site was chosen.	
2.3.67	<i>"The habitats to be lost at Oakendene includes native hedgerow of 622m which qualifies as a Habitat of Principal Importance under the UK Biodiversity Action Plan priority habitat descriptions published by the JNCC (Joint Nature Conservation Committee). The loss of this priority habitat cannot be avoided due to the scale of the proposed substation, although quoted losses are based on the worstcase scenario regarding substation design. In addition, there will be a loss of 19 category A oak trees. The Red list and UK BAP priority species identified on site include dormice found on the boundary of Oakendene Manor, reptiles (both grass snake and slowworm) and otters, with signs of otter activity being found on the fishpond at Oakendene Manor. "</i> This is an enormous amount of significant habitat loss and the applicant has not justified its choice of site to account for why this is acceptable.	
2.3.68	REP1-023 Applicant's Post ISH submission, Oakendene flood risk 1.3.5 <i>"The Applicant considers it extremely unlikely that the flood water level associated with the National Grid target guidance would exceed the upper elevation of 16.25m AOD. "We agree that it is unlikely that flood water would be over 2m deep, but does this mean that the ground level could be raised by up to 2m? If so, this will have significant implications for any viewpoint assessment. In any case, the fact remains that the site does flood as shown by local testimony from several sources. Clarification is needed as to the exact meaning of 'the upper elevation of the substation planorm'.</i>	The Applicant has previously submitted responses in relation to the local testimonies and photographs from CowfoldvRampion (see Section 12 of Appendix A to Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030]). In that document, the Applicant reviewed the available photographs noting that they are entirely consistent with the Environment Agency Risk of Flooding from Surface Water (RoFSW) mapping at the onshore substation site. This provides further support of the conclusions of Appendix 26.2: Flood Risk Assessment, Volume 4 of the Environmental Statement (ES) [APP-216] . The Applicant has since provided further detailed responses to the Examining Authority's Written Questions [PD-009] with respect to flood risk at the onshore substation site at Oakendene under the Examining Authority's Written Questions FR 1.2 and FR 1.3 in the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document referenceReference: 8.54) . The Applicant's response to the Examining Authority's Question FR1.2 provides further supporting information in relation to a range of flood risk matters at the onshore substation including details about how proposed changes to ground levels have been incorporated into the Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] and the Outline Operational Drainage Plan [APP-223] (updated at Deadline 3).
2.3.69	<i>" the small contributing catchment area (in the region of 1.7km2) will limit the amount of rainfall that could contribute towards a flood event; "</i> We believe this assumption is flawed as the catchment area is far greater, as shown by the figures 26.2.5e and a in Rampion's Flood Risk assessment. The site drains a huge area to the east, and also the AONB from the north, which enters via ditches along Picts Lane, Coopers farm and then under the A272 into the site at the northern boundary	With respect to the upstream catchment area, this has been delineated using the latest Environment Agency Light Detection and Ranging (LiDAR) topographic dataset and based on watershed analysis tools within Geographic Information Systems (GIS) software. The results of this catchment delineation was previously shared with WSCC and HDC on 22 June 2022 during a targeted stakeholder meeting, as reflected in the meeting minutes in Appendix A of Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] . The delineated catchment is reflective of the Environment Agency RoFSW mapping as shown in Figure 26.2.5e of Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] . As seen in the Figure 26.2.5e, the catchment extends east roughly to Wineham Lane (beyond which surface water runoff flows east into a separate sub

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		<p>catchment), south approximately to Westridge Farm, and north approximately to Coopers Farm. The Area of Outstanding Natural Beauty (AONB) referred to by the respondent is presumably the High Weald, the southern boundary of which is coincident with Picts Lane, approximately 600m north of the onshore substation site at Oakendene. This area is not situated in the upstream catchment to the onshore substation site, draining west to the Cowfold Stream via a minor watercourse immediately north of Coopers Farm as reflected in Figure 26.2.5e of Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216].</p>
2.3.70	<p>REP1-032 Applicant's post hearing submission OFH</p> <p>Response to Janine Creaye:</p> <p>2.2.9 "Section 42 letters were issued to affected parties including all landowners on land covered by our proposals;". But in the case of many Cowfold residents, not when they could have influenced the substation site choice.</p>	<p>Please see response in reference 2.2.1 above.</p>
2.3.71	<p>2.2.16 "The response figures, as detailed in the Consultation Report (app ref 5.1), indicate that there was a high public awareness of the consultation." But not in Cowfold, until well after the site was chosen, as would have been seen by a proper review of the consultation responses.</p>	
2.3.72	<p>2.2.17" Paragraph 3.6.16. of the Consultation Report [APP-027] confirms that an Information Event was held on 21 June 2023 for the Cowfold community," This is irrelevant; it was not a consultation, it took place after the consultation, and consisted of a slick presentation of well-rehearsed phrases and statements</p>	
2.3.73	<p>2.2.19" Paragraph 6.3. Section 42 consultation confirms that new parties both with freehold interest in land and with rights over land,". Most of these people had lived there for years, there was no reason not to be able to identify them, nor had anything changed about the potential site or possible boundaries to justify calling them 'new'. See CowfoldvRampion Adequacy of Consultation Document and Impact Statement for further information</p>	
2.3.74	<p>2.2.20 "Further to these discussions, consultation packs were sent to the Oakendene Industrial Estate office on Friday 28 October 2022," This is too little too late to influence any key decisions. The applicant admits there were failings to deliver letters to key residents, yet cannot explain why this should be considered acceptable with regards to this hard-to-reach group who will be so substantially impacted</p>	
2.3.75	<p>Yet again we see a reference to the "Promotion of Rampion 2 Consultations in and around Cowfold 2021-2022" document in the Appendix. In response I refer you to our AoC document as above</p>	
2.3.76	<p>REP1-019 Fawley/Dungeness:</p> <p>We do not find these arguments convincing. It seems it is mainly based on cost, with the threat to pass on costs to the consumer. ('passing it on to the end user') They have not provided any actual cost differences when compared to the current proposal, as requested by the ExA. Most of it talks about complexity, not that it is not possible, so this is a 'nice to have' and this warrants further investigation, perhaps with a comparative table, before it is accepted as convincing</p>	<p>Chapter 3: Alternatives, Volume 2 of the Environmental Statement (ES) [APP-044] 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 effects. Chapter 3: Alternatives, Volume 2 of the ES [APP-044] explains the reasonable alternatives considered for the onshore and offshore cable corridor and the reasons for selection of the preferred option. At this stage, the</p>

Ref	Deadline 2 submission	Applicant's response
2.3.77	It is not clear what purpose is served by the addition of the Littlehampton Pilotage Directions. No reference appears to be made to them in the document	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). At each stage in the evolution of the Proposed Development, options were appraised utilising a multi-disciplinary team that considered environmental, social and local communities, engineering, land interests, and cost.
2.3.78	1.3.9: The concerns raised about UXOs in the Solent area are not insurmountable, but may affect their costs and therefore profits. There are companies, such as Ordtek, which specialise in overcoming these challenges expressly for offshore windfarm tech companies and aim to reduce their risks to a tolerable level for project stakeholders and to discharge legal obligations.	<p>The design evolution and environmental impact assessment (EIA) process spanned a number of years as is usual for nationally significant infrastructure projects. Six potential grid connections onshore stretching from Ninfield in the east to Fawley in the west were then identified and an options appraisal process was undertaken by the Applicant alongside the National Grid Connection and Infrastructure Options Note (CION) process. The process left three options for the grid connection location. Six potential landfall options were also identified and an options appraisal was conducted which examined the possible combinations of landfall to the three remaining grid connection points. This is shown on Chapter 3: Alternatives – Figures, Volume 3 of the ES [APP-075]. This process included the National Grid CION process and options appraisal both found the existing National Grid Bolney substation to best meet the National Grid Energy System Operator's obligation to provide an economic and efficient grid connection, due to the lower constraint and construction costs when compared to the other grid connection options appraised during the early high level options appraisal process. The grid connection identification and subsequent offshore cable route selection are detailed within Section 3.3 and Section 3.5 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044]. The information that the Applicant has provided within the DCO Application and throughout the Examination reflects the design evolution of the Proposed Development.</p> <p>The Applicant has previously provided responses regarding the alternatives considered as part of the Proposed Development, for key responses please see:</p> <ul style="list-style-type: none"> References 2.3.5, 2.24.2, and Table 6-4 in Deadline 1 Submission – 8.24 Applicant's Responses to Relevant Representations [REP1-017] submitted at Deadline 1; The Applicant has set out the further information on reasons for discounting grid connections at Fawley and Dungeness in Deadline 1 Submission – 8.25.1 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 1 – Further information for Action Point 3 – Fawley and Dungeness [REP1-019] submitted at Deadline 1; References 2.1.2, 2.1.3, and 2.8.10 in Deadline 2 Submission – 8.51 Category 8: Examination Documents – Applicant's Response to Affected Parties' Written Representations [REP2-028] submitted at Deadline 2; and References 2.7.1 and 2.19.1 in Deadline 2 Submission – 8.52 Category 8: Examination Documents – Applicant's Responses to Members of the Public and Businesses' Written Representations [REP2-029] submitted at Deadline 2.

Ref	Deadline 2 submission	Applicant's response
2.3.79	<p>REP1-018 Response to Action points arising from ISH1</p> <p>Item 3, traffic and access:</p> <p>12) We are pleased that Rampion have accepted the idea of 'shoulder hours', but they do not seem to have taken the main point of them as explained by Bolney parish Council (see REP1-074): "07.00 to 08.00 hours and 18.00 to 19.00 hours Monday to Friday During these 'shoulder hours' only quiet setng up and closing down of the construction sites was permitted and no loading or unloading of HGVs or other deliveries. The reason for the quiet hours was to protect the amenity of local residents."</p>	<p>Working hours are outlined in Section 4.4 of the Outline Code of Construction Practice [PEPD-033] (updated at Deadline 3) and Commitments Register [REP1-015] (updated at Deadline 3). During the shoulder hours of 07:00 to 08:00 and 18:00 to 19:00 activities such as use of heavy plant or activities resulting in impacts, ground breaking or earthworks will not be permitted.</p> <p>Further to this, the Applicant has considered the request from West Sussex County Council to change working hours to 08:00 to 19:00 but considers this to be impracticable, particularly when considered in combination to the morning peak hour heavy goods vehicle (HGV) limits that are now proposed within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) for some traffic sensitive locations. The working hours proposed by West Sussex County Council would require mobilisation to occur during the peak hour of 08:00-09:00 which would remove the ability to apply HGV restrictions at traffic sensitive locations. This would then mean that mobilisation would not be able to start in some locations until 09:00 which will reduce the available working hours and as a result may delay the overall construction programme. Alternatively, if peak hour restrictions were not applied, these working hours would increase the number of construction vehicles on the network in peak hours through mobilisation related activities.</p>
2.3.80	<p>Rampion on the other hand include 'deliveries to site and unloading,'. What is more, if all staff are to arrive and depart at these times, this is inconsistent with avoiding the AQMA at peak times, and will also cause complete gridlock on the A272</p>	
2.3.81	<p>17) The applicant does not provide staff vehicle numbers at all. The average hourly figures for peak weeks are not helpful as there is no indication as to whether they would actually be spread through the day or whether they will be setng out or back mainly at the beginning and end of the core hours etc See also REP1-017-response to Cowfold PC.</p>	<p>In relation to construction light goods vehicle (LGV) traffic, these have been split into three categories within the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the Environmental Statement (ES) [REP1-009] (updated at Deadline 3) to allow consideration of LGV staff traffic, LGV delivery traffic and LGV construction traffic and provide a robust basis for 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. The movement of LGVs associated with all construction elements of the Proposed Development has therefore been included within assessments provided within Chapter 23: Transport, Volume 2 of the ES [APP-064] and Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006].</p>
2.3.82	<p>18) The response is that the need is 'unlikely'. This is not a consideration of how access will be achieved.</p>	<p>In exceptional circumstances during unscheduled maintenance or operational faults, a heavy goods vehicle (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 along Dragons Lane for materials or equipment. However, the design, the construction, and the commissioning of static infrastructure such as the onshore export cable are undertaken in a way to ensure that no replacement or repair is necessary over the lifetime of the asset. It is therefore not reasonable to assess the need for HGVs to access operational access associated with such an unlikely scenario as part of this DCO Application.</p>

Ref	Deadline 2 submission	Applicant's response
2.3.83	<p>REP1-022 Post hearing submission for construction and access</p> <p>1.4.2 For once we are in complete agreement with the Applicant, regarding the need to preserve the habitat along the tributary: <i>"This habitat provides east / west connectivity for a range of species including dormouse, bats and breeding birds. It also provides habitat that could be used by great crested newts breeding in nearby ponds. Trenchless installation of the cable across this habitat strip limits fragmentation associated with substation delivery, ensures connectivity is maintained east / west throughout the construction period and minimises effects on a variety of fauna. The tree line also provides screening of views of the construction compound and latterly the substation from the south. A haul road would create a 6m gap in this habitat"</i>. The applicant has just given a perfect explanation of why the cable route through Cratemans and the surrounding small fields, scrubland and green lanes should not be allowed to go ahead: it destroys connectivity and the ability of species to survive during the construction and afterwards as these habitats will be lost forever.</p>	<p>The Applicant notes that losses of hedgerows and scrub around Cratemans Farm will be reinstated following installation of the cable. The habitat described at Oakendene is discussed in the context of the provision of permanent above ground infrastructure (i.e. the onshore substation site).</p> <p>The Applicant refers to information on the haul road in the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document Reference: 8.54), specifically responses to the Examining Authority's Written Questions TE 1.4, TE 1.11, TE 1.13, TE 1.17 and TE 1.23. The Applicant refers to information on the haul road in the Applicant's Responses to the Examining Authority's First Written Questions (ExQ1) (Document reference: 8.54), specifically responses to the Examining Authority's Written Questions TE 1.4, TE 1.11, TE 1.13, TE 1.17 and TE 1.23.</p>
2.3.84	<p>The applicant understands the importance of the Cowfold Stream in this also, <i>"The Cowfold Stream and associated riparian habitats support a variety of species including otter, bats and nightingale. The stream corridor provides a strong feature running north / south through the landscape providing habitat connectivity through a farmed landscape"</i>. However, the surrounding landscape is for the most part not farmed, but provides the same vital interconnectivity on land and will be destroyed by the haul road.</p>	
2.3.85	<p>REP1-011 Doc Ref 7.6 Outline CTMP (tracked):</p> <p>NB Figure 7.6.8 shows traffic entering and leaving A23 to access A272 at Warninglid, not the Bolney A23/A272 junctions. It is to be hoped this is an error and not an intention to use the minor roads for this purpose?</p>	<p>The Applicant provided an update to the Outline Construction Traffic Management Plan [REP1-010] at the Deadline 1 submission on 28 February 2024 including amendment to Figure 7.6.8 to show the strategic road network route along the A23 extending to the north. The Applicant would like to clarify that the exit point triangle as labelled on Figure 7.6.8 within the Outline Construction Traffic Management Plan [REP1-010] represents the start and end point of the Construction Traffic Management Plan Study Area. It is not showing the exit point from the A23 with traffic needing to follow the routing as outlined in Figure 7.6.6c within the Outline Construction Traffic Management Plan [REP1-010].</p>
2.3.86	<p>Table 6-2 LGV Construction Traffic Distribution: these figures do not include staff vehicles, which, based on the figures for the smaller Rampion 1, we estimate to be around 350 vehicles per day accessing compounds at A62 and A63, presumably all in the shoulder hours between 7-8am. And, based on the 'super output area' on figure 7.6.7c, almost all will be coming from the west and therefore going through the AQMA to go to and from work.</p>	<p>Table 6-2 of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3) details anticipated distribution of light good vehicle (LGV) trips used for assessment purposes within Chapter 32: ES Addendum, Volume 2 of the Environmental Statement (ES) [REP1-006] and based upon travel to work data from the 2011 census use. Use of super output area west of Cowfold shown in Figure 7.6.7c is considered to generate a robust estimate of potential staff origins for assessment purposes noting that use of a super output area further east would likely show a greater number of trips originating from the east. Use of this data has shown that 43% of LGV trips would originate from A272 (West), A24 or A27 and route through Cowfold. The other 57% would avoid Cowfold and originate from the A272 (East), A23 or A27.</p>
2.3.87	<p>On pages 134-5 and 136-7, access points A61 and A63 are still described as "Type of Acc – Construction and operational". But the accommodation works are described as <i>"New temporary construction bellmouth required"</i>. Surely the bellmouth and accompanying hedge and tree loss will be permanent?</p>	
2.3.88	<p>REP1-009 Traffic Generation (tracked):</p> <p>Please can the applicant expand on their car parking plans for the two compounds at Oakendene: <i>"car parks are planned as part of the proposed development"</i> (page 13). How will this impact on the destruction of soil substrate, flooding mitigations and ability to plant any screening in advance?</p>	<p>In relation to construction access information provided in Appendix A of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3), it is correct that a temporary construction bellmouth will be required to support the</p>

Ref	Deadline 2 submission	Applicant's response
2.3.89	Table 3-4 includes additional baseline traffic data. The apparent excess of numbers for Highways link E compared to F is simply a reflection of the way the traffic has been building up between 2021 and 2023 on the whole of the A272 at both locations as they are simply continuations of the same road in terms of traffic numbers, though not flow behaviour.	construction phase of the Proposed Development. Once construction is complete, the construction bellmouth will be removed and operational access will be taken from the existing farm gate. With regards to access A-63, the Applicant is currently completing preliminary designs for this junction, which will take account of the need for construction and operational access to the onshore substation at Oakendene. This design, which will be subject to an independent Road Safety Audit, will be submitted to West Sussex County Council with an aim of reaching an agreement in principle on the preferred layout ahead of the end of the Examination.
2.3.90	The numbers for Kent Street have been made up, or as they say <i>“estimated from onsite observations due to traffic data being unavailable”</i> . They represent a gross exaggeration of current HGV numbers - see actual figures in the Enso Energy survey for days when the A272 was not blocked. (See REP1-089 CowfoldvRampion Impact Statement Traffic addendum). The total vehicles, if one removes the HGVs from the total, are in the right order ie 70-90 per 24 hour period.	Further details of temporary construction compounds will be developed during the detailed design phase of the Proposed Development.
2.3.91	5.5.4:” <i>Generally, onshore substation construction will take place during daylight hours</i> ” How is this consistent with core working hours of 8am to 6pm? Day light ends around 3pm in midwinter.	Traffic surveys undertaken between 18 and 25 October 2023 (excluding data collected between the 20 and 22 October 2023 when an accident occurred on the A272 closing the road) have been utilised for the base traffic flows on Kent Street. These traffic surveys were collected as part of the planning application for the Enso Battery Storage System located west of Kent Street (Planning Application Ref: DC/24/0054).
2.3.92	5.5.6:” It is anticipated that heavy goods vehicles (HGVs) will be required during the enabling and construction phases of the development.” <ul style="list-style-type: none"> • Are the HGV figures we have been quoted for the construction phase only? • What will the numbers be for the enabling phase, • how long might it be expected to last, • what are the implications for disruption to the A272 in particular by the creation of the access point, and the re-routing of the UKPN cable? • How will traffic be managed in that time? 	Kent Street carries only low volumes of traffic, with an average annual weekday two-way traffic flow of 96 vehicles (of which 24 were Other Goods Vehicle’s (OGVs)/HGVs) recorded in the survey. The following documents have been updated and submitted at Deadline 3 to reflect the revised traffic flows on Kent Street:
2.3.94	Table 6-7: There will be a total of 3508 vehicles in Kent Street during the 38 weeks or so of estimated construction time. It is not clear if outside delivery vehicles or staff vehicles are included in this or in addition, or where any of these vehicles will park in the haul roads.	<ul style="list-style-type: none"> • Outline Construction Traffic Management Plan [REP1-010]; and • Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the Environmental Statement (ES) [REP1-008].
2.3.95	Table 6-910 Onshore construction traffic impact per receptor. It is not clear from this table why the numbers of HGVs in the two HGV columns are not the same. Nor why there are two Total Vehicle columns, when one of them relates only to a subset of HGV -only columns.	Further to this, Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] will be updated and submitted at Deadline 4. Given that the baseline flows assumed average annual weekday two-way traffic flow of 100, the change in baseline traffic flows will not alter the assessment conclusions presented in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] .
2.3.96	One clear message from this however, is that there are multiple peak weeks at each receptor and therefore when considering impacts, we should not be lulled by statements such as ‘each peak week period is estimated to last for a couple of weeks’	Table 6-7 of the Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] (updated at Deadline 3) provides details of the total estimated construction traffic movements including delivery / staff vehicles which at each access junction during construction of the Proposed Development.
2.3.97	REP1-006 Traffic addendum:	Table 6-8 of Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-008] (updated at Deadline 3) shows the peak construction traffic for each receptor. This includes a column showing the peak week for total construction traffic at each receptor and a column showing peak week for heavy goods vehicles (HGVs) at each receptor. In most cases these peaks occur during different weeks of the construction programme, hence the different number of HGVs shown. The likely significant effects associated with the construction phase of the Proposed Development on Kent Street have been assessed in Chapter 32: ES Addendum,

Ref	Deadline 2 submission	Applicant's response
	<p>Kent Street:</p> <p>Quite simply the arrogance of the section on Highway Link U, Kent Street is beyond belief, particularly given the concerns raised by the ExA about the impact on Kent Street during the Hearings. We feel the applicant has descended to a new low in this assessment.</p>	<p>Volume 2 of the Environmental Statement (ES) [REP1-006] and Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the ES [REP1-009] (updated at Deadline 3). This concluded the Proposed Development will generate significant effects related to fear and intimidation, pedestrian delay, and pedestrian amenity during peak construction activities.</p>
2.3.98	<p>Table 2-27 is extremely concerning as it concludes every possible impact to be 'negligible'. We strongly dispute these findings.</p>	<p>Whilst the peak week of construction traffic is predicted to lead to a significant transport effect, this peak of construction activity is short term, lasting approximately two weeks. In between these construction peak periods, it is predicted that heavy goods vehicle (HGV) flows will be more than 10 vehicles per day (one per hour) for only 13 weeks of the construction programme.</p>
2.3.99	<p>"The percentage change in total traffic and HGVs on this highway link is greater than 100% for the HGV peak week at both access A-61 and A-64." This is surely a breathtaking understatement. They have guessed at 10 HGV movements on the lane per day. The actual number, from the Enso Energy survey was 0-2 on normal days, giving a percentage change of 2000-4000%; just a little greater than 100%! They mock the GEART guidelines and make no genuine attempt to understand the situation and its impacts.</p>	<p>The Applicant notes a traffic management strategy to facilitate access along Kent Street by construction traffic has been submitted at Deadline 3 please see Appendix D of the Outline Construction Traffic Management Plan [REP1-010] (updated at Deadline 3).</p>
2.3.100	<p>The applicant actually suggests that because there will be on average one HGV every 12 minutes, (although it will be more as this is based on a 12-hour day) and the length of Kent Street to access point A-64 can be walked in 2.5 minutes, people can time their walks to avoid the traffic and so they won't be affected by it! The lane is used for gentle strolls, not always power walking, and what about horses and other animals? Given the age demographic of the lane, the applicant might have to extend the time interval between vehicles to allow this to take place!! In any case the HGVs won't all be neatly timed to arrive in an 'average' manner. Nor does it take into account the rest of the 700m of the lane they will be using, just the first 200m to A64.</p>	<p>Traffic surveys undertaken between 18 and 25 October 2023 (excluding data collected between the 20 and 22 October 2023 when an accident occurred on the A272 closing the road) have been utilised for the base traffic flows on Kent Street. These traffic surveys were collected as part of the planning application for the Enso Battery Storage System located west of Kent Street (Planning Application Ref: DC/24/0054).</p>
2.3.101	<p>"Kent Street at this location is a single lane road bordered by vegetation, meaning pedestrians will have to walk on the road. There are no footways or crossings.... Taking account of the limited level of pedestrian demand north of access A-64 and the lack of significant pedestrian desire lines and trip attractors the magnitude of change is considered to be Low." We dispute this. Earlier this week, we walked with councillor Sarah Payne and a highways officer along this part of the lane. Every few minutes there were walkers, dog walkers or horse riders. They make up the majority of traffic on the lane, not vehicles. The verges at this time of year are not safe in places, as the ground is extremely boggy. Horses could not move to the side. Usual etiquette on country lanes in any case is for vehicles to give way to horses and to give them considerable clearance, not the other way around. Indeed, the Highway Code requires drivers, when passing horses, to drive at less than 10 mph and to allow at least 2m of space. As the road is less than 3m wide at some points, the HGVs will be in the ditch.</p>	<p>Kent Street carries only low volumes of traffic, with an average annual weekday two-way traffic flow of 96 vehicles (of which 24 were Other Goods Vehicle's (OGVs)/HGVs) recorded in the survey. The following documents have been updated and submitted at Deadline 3 to reflect the revised traffic flows on Kent Street:</p> <ul style="list-style-type: none"> • Outline Construction Traffic Management Plan [REP1-010]; and • Appendix 23.2: Traffic Generation Technical Note, Volume 4 of the Environmental Statement (ES) [REP1-008] (updated at Deadline 3).
2.3.102	<p>2.4.60-61 There will be multiple peak weeks, each of approximately 2 weeks duration over the course of the at least 38 weeks for which Kent Street will be affected. During which time at least 3-5 HGVs per hour will travel on the lane plus numerous LGVs</p>	<p>Further to this, Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] will be updated and submitted at Deadline 4. Given that the baseline flows assumed average annual weekday two-way traffic flow of 100, the change in baseline traffic flows will not alter the assessment conclusions presented in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006].</p>
2.3.103	<p>2.4.62 We do not agree with the statement that there will be insignificant impact. No credible traffic management strategy has yet been proposed</p>	<p>The assessments contained within Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] are based on the highest level of estimated construction traffic at each receptor and therefore provide a robust assessment of likely significant transport effects.</p>
2.3.104	<p>Noise and Vibration:</p> <p>4.2.2 The 10m figure is inappropriate, as many houses along the A272 (link 27) are directly on the road, including Huntscroft Gardens, Coopers Cottage and South Lodge, and the cottages at</p>	<p>The noise and vibration assessments in Chapter 21: Noise and vibration, Volume 2 of the Environmental Statement (ES) [PEPD-018] have been carried out in accordance with the National Planning Policy Framework (Department for Levelling Up, Housing & Communities, 2023), National Policy Statements (NPSs) for Energy</p>

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	Oakendene. Also, people walk along the road and several properties have gardens directly along the road. In this rural community, people spend much of their time out of doors.	(NPS EN-1, NPS EN-3, and NPS EN-5) (Department for Energy and Net Zero (DESNZ) 2024a, 2024b & 2024c), the Noise Policy Statement for England (Department for Environment, Food and Rural Affairs (Defra), 2010), and have regard to the Planning Practice Guidance note "Noise" (Department for Levelling Up, Housing & Communities and Ministry of Housing, Communities & Local Government, 2019). The assessments have considered the local planning policies, the criteria identified within Section 21.8 of Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] are industry-standard and referenced within the Noise Planning Advice Document: Sussex (Adur District Council <i>et al</i> , 2023).
2.3.105	4.2.3 "The traffic noise prediction is based on road link traffic flows (18 Hour Annual Average Weekday Traffic, (AAWT)), percentage of heavy goods vehicle (HGV) within the traffic flows, and average speed (KPH) for each road link (see Table 4-1)." However, the WSCC transport data shows the numbers are not spaced regularly over a 24-hour period but, using April 2022 as an example, the 5- day average was 18,582 vehicles a day but 14,896 of them passed between the hours of 06.00 and 18.00. This means that the noise levels during the day will be much higher than in the tables, which look at an 18-hour average. Also, for the stretch of road between Kent Street and Oakendene Industrial Estate speeds are much higher and noise levels are currently in the top 1% nationally. In the garden at South Lodge, when traffic is flowing it is not easy to have a conversation above the noise.	British Standard (BS) 5228 parts 1 (noise) and 2 (vibration) (British Standards Institution (BSI), 2014a and 2014b) are statutory codes of practice for construction noise and vibration under the Control of Pollution Act 1974.
2.3.106	In addition, there is no cumulative assessment of construction noise at the substation or compounds, or the effect of removal of sound-absorbing trees and hedges at Oakendene Table 4-1: <ul style="list-style-type: none"> We question the figures for road link 24 as they seem rather high-much higher than the busier A272. Please could this be explained Road link 27: The WSCC 5day AAWT data shows HGVs at over 6%, not 4% as shown in table 4-1 	Design Manual for Roads and Bridges (LA111) Noise and Vibration (Standards for Highways, 2020) is a National Highways document for traffic noise and vibration assessment and significance. BS 4142 (BSI, 2019) is the main assessment tool in the UK for noise arising from commercial and industrial premises.
2.3.107	Table 4-2: For road link U, Kent Street, the % HGVs is 1% or less (see Enso Energy traffic monitoring data), 34% of peak week traffic totalling 160 means 54 HGVs. The peak week total traffic is double the usual traffic and the peak week HGV traffic is 60% of usual total traffic and 2000-4000% of the usual number of HGVs . It should also be noted that at close to these peak week levels, the Enso Survey showed that the road became unmanageable, even when the vast majority of vehicles were travelling south to north, rather than in both directions as proposed here.	To account for updated traffic data, the updated traffic noise assessment has been provided in Chapter 32: ES Addendum, Volume 2 of the ES [REP1-006] with Kent Street and the A272, considered within this addendum.
2.3.108	Table 4-4 fails to recognise the usual quiet nature of Kent Street and the percentage change this will create (see CowfoldvRampion Impact Statement Noise and Vibration). BS4142 makes it very clear that the greater the noise level above background the greater the magnitude of impact , so we dispute their assessment of 'little impact.	Receptors on Kent Street between the A272 and the site access, will receive an audible increase in traffic noise due to in an increase of 60 vehicle movements per day (using the "peak week" traffic assessment) and an increase in the proportion of traffic that are Heavy Distribution Vehicles (HDV). However, this is not a significant increase, as the road is "low-flow" with respect to the assessment guidance both without, and with, the Proposed Development.
2.3.109	Moreover, EN-1 para 5.2.9 "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."	Noise from the A272 is predicted to increase by up to 0.2 dB due to project traffic. This is a very small change, and not significant.
2.3.110	Appendix A: Tables A1, A2 and A3 continue to exclude Kent Street Appendix B Full results of Cowfold AQMA assessment:	The Applicant notes that further responses with respect to noise and vibration have been provided to CowfoldvRampion's Written Representation in Appendix A (Section 8) within Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .

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	<p>These figures look at monitored annual mean levels. However, 80% of the traffic on the A272 is between 6am and 6pm. So the concentrations when people are actually outside will be much higher. Nor does it take into account the additional polluting nature of stop start traffic in congestion, as here</p>	
2.3.111	<p>In conclusion:</p> <p>The pattern of behaviour by Rampion during the consultation and the Examination is disappointing. They appear to make a case with their surveys and data to suit their predetermined preferred option, rather than recognising where there might be a genuine issue and then seeking to find a genuine solution, or key concerns are dismissed as something which can be sorted out once the DCO is granted.</p>	<p>The Applicant has no further comments on these matters at this time.</p>
2.3.112	<p>Examples of this are:</p> <ul style="list-style-type: none"> • Traffic modelling. They continue to stick with a flawed, simplistic, traffic modelling approach which considers only traffic numbers and steady flow, despite an entire community telling them this is not appropriate for assessment for the A272 which is at capacity at the Cowfold junction. This enables them to 'prove', against all reasonable observed evidence to the contrary, that there will not be a significant impact on traffic flowing Cowfold or around the Oakendene compounds • They are then able to dismiss any concerns about pollution and noise, because the flawed evidence 'proves' there will not be a problem: dismissed. • Similarly, because there will be no impact on traffic, there can be no detrimental effect on local economy: dismissed again. • Despite the ExA and all the residents raising concerns about the impact on Kent Street, their answer is to provide 'evidence' which 'proves' that there will not be a problem: dismissed. They make predictions but the fact they state "the baseline traffic data has been estimated because traffic survey data is not available" destroys any technical credibility the statement might have had; an extraordinary admission for their desire to justify causing chaos for the residents and road users of Kent St. • Ecology: instead of listening and genuinely seeking to find a solution, again they dismiss concerns and provide 'evidence' to show the concerns are not justified: dismissed. • REP1-021 is an example of selective choice of the 'evidence' to suit their desired outcome • The applicant's responses in REP1-033 and REP1-017 to questions about why adequate viewpoint analysis at SA2 and from Oakendene Manor had not been carried out, are weak and unconvincing, and in the case of SA2, appear rather as designed to hide the attempted manipulation of the true impact. • Similarly, rather than admitting that there had been failings in their consultation with Cowfold prior to the decision to choose Oakendene, they counter with responses which superficially seem reasonable, but close inspection quickly reveals them to be anything but: "everyone who should have received one had at least one Section 42 letter". But not until too late to influence the outcome. "We held meetings in Cowfold in November 2022 and June 2023, so we did consult". But again, far too late to be 	

Ref	Deadline 2 submission	Applicant's response
	<p>meaningful. Both are attempts to 'prove' they did something when all the evidence points to the fact that they did not.</p> <ul style="list-style-type: none"> • Flooding: their answer is largely to downplay the problem and to 'prove' it isn't as bad as residents have shown it to be • REP1-034 para 2.10.1 To explain why HDC was not invited to ETGs regarding Oakendene, they do not answer the question but insist they had been engaging with HDC (which wasn't in dispute, just not over this), instead of admitting a mistake and providing the missing minutes • Traffic management on A272: they 'show' no traffic lights are needed instead of actually trying to listen to community concerns and trying to find a solution: dismissed. • Rampion claim that Rampion 1 exceeded its targets in 2023. (REP1-018, Action point 2). The argument is alarmingly similar to that of the Climate Change Committee's Chris Stark who was formally warned about the dangers of using selective years' data by the Royal Society. Yesterday the output was just 0.5% of maximum capacity. 	
2.3.113	<p>Instead of showing genuine remorse for mistakes, and engagement and a desire to find the best outcomes, they come up with clever 'reasons' why what was done or found has a different interpretation of meaning.</p>	
2.3.114	<p>In the final instance they remind us "The Applicant considers that these benefits [towards achieving net zero] and need for renewable energy outweigh the adverse effects identified in the ES of the Proposed Development as a whole including those related to the onshore substation site at Oakendene". This argument underpins their whole attitude to the examination, which is that in the end they do not have to listen, because no matter how damaging, disruptive or destructive this might be it must be overridden by the national interest so doesn't matter.</p>	
2.3.115	<p>Flawed assumptions behind studies and bad design leads to wrong or manipulated findings. The DCO should never have been brought to examination in such a state: dismiss.</p>	

Table 7-4 Applicant's Response to Cowfold/Rampion Responses to Local Impact Reports Deadline 2

Ref	Deadline 2 Submission	Applicant's Response
2.4.1	Comments on the LIRs do not represent the entirety of our support or objection for the LIRs; instead, specific points have been chosen for comment.	The Applicant has no further comments on this matter at this time.
2.4.2	Comments on REP1-044 Horsham District Council Local Impact Reports: 4.7: <i>“Transport access and ease of movement is a key factor in the performance of the local economy, enabling residents to travel to their place of work, and allows the movement of goods and services. Cowfold Road (A272) is a key local distributor, taking traffic east west across the district and linking several other strategic road networks (A23 to the east and the A24 to the west) with quieter, rural lanes.”</i> This highlights the key importance of the need for traffic not to be disrupted on the A272	The Applicant has provided detailed responses to Horsham District Council's Local Impact Report and Written Representations within Deadline 2 Submission – 8.45 Category 8: Examination Documents – Applicant's Responses to Horsham District Council Deadline 1 Submissions [REP2-022] .
2.4.3	8.16-17: we share HDC's concerns about the standing traffic on the A272 at Cowfold in peak periods of the day, and the fact that community concerns should be regarded, not dismissed	
2.4.4	9.7: We welcome HDC's clarification of its position on whether the Rampion ecology surveys are sufficient at Oakendene and the cable route, and thank them for and share their concerns of the limitations raised in 9.8 onwards.	
2.4.5	9.17: We would like to reiterate their concern that at Oakendene, during operation, <i>“adverse noise impacts on these [many sensitive] species' behaviours may affect the viability of the mitigation proposals”</i>	
2.4.6	9.28: We endorse HDC comments about the swale and root protection zone. The applicant must show that this can be also compliant with the degree of flooding shown to be at the substation site	
2.4.7	9.30: Wilder Horsham. The imperative must surely be to protect an already wild and highly species rich habitat as in the northern cable route and Oakendene in the first place	
2.4.8	9.33 3) The lack of ecological surveys at compounds also includes the small, highly biodiverse compound area at Crateman's which is frequently omitted from any compound assessment.	
2.4.9	10.22 We strongly agree with HDC's objection to this blanket approach	
2.4.10	10.27-28: We completely endorse these concerns and the objection to too much being left until after the conclusion of the Examination	
2.4.11	10.33: <i>“there will be long-term changes to the structure of the landscape as no trees can be returned/replanted over the cable route.”</i> This has deeply concerning implications for the rich biodiversity and wildlife corridors at Cratemans and the Cowfold Stream area, meaning that effectively, much of it will be lost forever	
2.4.12	12.11 The duration of noise disturbance along the haul roads from Oakendene and the A281 will indeed be of considerable duration, as the disturbance of Kent Street is expected to last at least 38 weeks (REP1-006 and 009). This has significant implications for both residents and wildlife	
2.4.13	13.8-11: we do not agree with HDC that the substation will 'not cause substantial harm' to the setting and heritage value of Oakendene Manor Appendix B 11) <i>“The wide entrance to the site from the A272</i>	

Ref	Deadline 2 Submission	Applicant's Response
	<p><i>and access road alone (much wider than the nearby Oakendene Industrial Estate) would introduce a high magnitude of change and would give rise to significant residual effects”</i> The Cowfold community strongly supports this view and believes the impact of the substation are significantly downplayed by the applicant</p>	
2.4.14	<p>We also completely support the views about Kent Street expressed in 12) and 13) and the request in 20) to include DC/24/0054 in assessments of LVIA and ES</p>	
2.4.15	<p>21) We completely agree with this and feel it is an approach used throughout the DCO documents and calls into question the robustness of the whole submission, not just the LVIA</p>	
2.4.16	<p>24-27): We wholeheartedly endorse the excellent points made in these sections about the urbanisation of Kent Street and the dramatic impact on its character. With regards to the need for both A59 and A60 however, it should be pointed out that A60 is actually Moanfield/Kings Lane and we are already concerned about the destruction of hedges on either side of this for the haul road, as they are of high quality, full of orchids and other species.</p>	
2.4.17	<p>REP1-045 Horsham DC Written Representation:</p> <p>3.1) CowfoldvRampion endorses Horsham DC’s concerns but would like to add that the sites chosen for meadowland survey also do not reflect the most valuable meadowlands. The newt ponds and survey dates are already available; they show a high proportion of ponds in this area were either not surveyed as they were ‘inaccessible’, or were surveyed outside prime months, or DNA was degraded.</p>	
2.4.18	<p>REP1-054 WSCC LIR:</p> <p>9.33-34: We agree with the views that the RVAA underestimates the impacts and that the results are not consistent with the findings identified</p>	<p>The Applicant has provided detailed responses to West Sussex County Council’s Local Impact Report and Written Representations within Deadline 2 Submission – 8.43 Category 8: Examination Documents – Applicant’s Responses to West Sussex County Council Deadline 1 Submissions [REP2-020].</p>
2.4.19	<p>We endorse the concerns expressed in 9.51-59 and the comments made about the poor reinstatement of Rampion 1 and the likely overestimation therefore of the success of compensatory measures.</p>	
2.4.20	<p>9.67: we share WSCC concerns regarding the impact on Oakendene Manor</p>	
2.4.21	<p>10.4: we share WSCC concerns that that construction noise impacts may have been underestimated</p>	
2.4.22	<p>10.6: the impact of even low increases of noise would be very noticeable in this highly rural area</p>	
2.4.23	<p>11.2: Vague and ambiguous wording is too great a feature in the whole DCO submission</p>	
2.4.24	<p>11.6: we do not agree that woodland will be the only habitat which would not be reinstated within the cable easement. Huge areas of scrub and ancient hedges will be lost from the cable route and haul road from the A281 to Oakendene. This will be particularly severe due to the pattern of small fields across this area and the green lane. The hedges will not be reinstated as they do not allow planting over the cable and also will need to maintain operational access along the cable corridor. It is also inappropriate to aim to replant scrub adjacent to the noise and vibration from the substation as this is not a suitable nesting site for nightingales</p> <p>It should be noted that over half of the 1440m of the total hedgerow loss actually occurs in the small area between A281 and Oakendene, resulting in an irremediable destruction of habitat</p>	

Ref	Deadline 2 Submission	Applicant's Response
2.4.25	12.30: we strongly agree with WSCC that the significant tree loss at Oakendene, and indeed hedge loss, do not appear to have been taken into account during the ecological comparison of the two sites	
2.4.26	12.31: we share concerns that the need for routine maintenance will limit the size of trees close to the substation and therefore reduce their screening potential	
2.4.27	13..2: There is little public transport here and the workers will be heavily reliant on private cars	
2.4.28	13.7: Road safety considerations should also include any work pre-construction to create the access to the substation site and to re-route the UKPN underground cable.	
2.4.29	15,3: We agree with WSCC that the substation will cause substantial harm to Oakendene Manor and that insufficient consideration has been afforded to the historic environment in consideration of substation location alternatives.	
2.4.30	P218, from OCTMP APP 228, 4.9.1, Table 4-4. We completely agree with WSCC concerns that the HGV definition should be altered to include vehicles over 3.5 tons or more. We have been asking to amend this since the DCO was first submitted. Have HGV figures been based on 7.5T and does this mean that HGV numbers have been grossly underestimated?	
2.4.31	<p>P223 Appendix B, Figure 7.6.4d, A62, A63 and Kent Street: We agree with these concerns. In addition, the proximity of these three points is of further concern. It should also be noted that the compounds will also serve as huge car parks for large numbers of passenger vehicles who will be crossing the A272 to enter them at peak times. Rampion are currently also expecting HGVs to be arriving at peak times as they talk about unloading occurring during the shoulder hours. Kent Street has soft unstable verges with deep ditches and is unsuitable for passing places.</p> <p>It is not acceptable to allow traffic management to be left until the end of the examination</p>	

Table 7-5 Applicant's response to Middleton on Sea Coastal Alliance Deadline 2 Submission – Comments on any further information/submissions received by Deadline 1

Ref	Deadline 2 submission	Applicant's response
2.5.1	Further to our Written Representation. Our comments below refer to the questions already asked, and to the continuing lack of answers on the Visual impact of the proposed Development which have still not been properly addressed by the applicant and referenced in our Summary 15 January 2024, and following on from the Hearing in Brighton starting 6 February 2024	Noted, the Applicant has no further comments on this matter at this time.
2.5.2	<p>The visual impact of this proposal will be a significant change of character and industrialisation of the open sea</p> <ul style="list-style-type: none"> • There is a persistent lack of visual interpretation required from the Applicant that has not been rectified. This would ensure a fair considered decision on the application, not been rectified. We request these visual animations be brought into the Examination process urgently, to ensure that the application has been fairly and truthfully examined as requested by the Planning Inspectorate prior to and to be available at, the Hearing in February. This requirement is fundamental to the transparency of the application. 	This matter is addressed in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.5.3	The applicant was still unable to present either indicative drawings or animated reallife visual representations for the Hearing. We understand they 'did not have time to do so when requested' by PINs. To our knowledge this lack of visual aids continues to be absent from the crucial information that is needed to enable, both residents and PINs to evaluate fairly the impact of the suggested array (two and half times higher and the rotor sweep much wider than Rampion 1) giving this project a highly significant structural and visual footprint.	This matter is addressed in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.5.4	<ul style="list-style-type: none"> • What mitigation can be offered in consideration of the importance of the visual impact on those who live, work, and visit the area that are forced to 'host' this development and will feel the impact and loss of amenities coupled with the impact on mental health and enjoyment of the beach and seascape contradicted by the urbanisation of the open sea, in effect fencing in the openness of the seascape? 	This matter is addressed in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.5.5	<ul style="list-style-type: none"> • Why has considered argument not been given to whether the existing visual impact of the open ocean as it currently exists has characteristics that will significantly be altered by the introduction of new visually industrial structures giving a very different aspect of the open sea and coast and therefore cause a significant change to the character of the coastline. Visual animations are a critical part of the future impact and though not available within the consultation process is an important planning principle for fair assessment. 	This matter is addressed in Deadline 2 Submission – 8.53 Category 8: Examination Documents - Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .
2.5.6	<ul style="list-style-type: none"> • Why recognising the critical importance of giving weight to applying OESEA 4 visual buffers compliance re Seascape, Landscape, and Visual Impacts regarding turbines over 225mtrs tall has not been undertaken. OESEA4 and the White Report limit the installation of Turbines over 225m tall to locations not less than 33-40 kilometres (20.5-25 miles) distant from National Parks and similar sensitive features. The closest inshore rank of the Rampion 2 proposal is only 13 kilometres (8 miles) from the shore. This application does not comply with the legislation – how can it therefore proceed? 	This matter is addressed in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] .

Table 7-6 Applicant's response to Protect Coastal Sussex Deadline 2 submission

Ref	Deadline 2 submission	Applicant's response
Responses to any written questions arising from OFH1 and or ISH1 (if required) [REP2-064]		
2.8.1	<p>Protect Coastal Sussex submitted three documents into the Rampion 2 Examination at Deadline 2. The Applicant has provided a brief overview of each submission below.</p> <p><u>Document 1: Responses to any written questions arising from OFH1 and or ISH1 (if required) [REP2-064]</u> This document provides Protect Coastal Sussex's review of the Applicants response to Deadline 1 Submission – 8.25 Applicant's Response to Action Points Arising from Issue Specific Hearing 1 [REP1-018] regarding the level of wind resource in the Channel.</p> <p><u>Document 2: Comments on any further information/submissions received by Deadline 1 [REP2-065]</u> This document provides a one page overview of the Protect Coastal Sussex's Deadline 1 submission – Written Representations (WRs) including summaries if exceeding 1500 words [REP1-145].</p> <p><u>Document 3: Comments on any further information or submissions received by Deadline 1 [REP2-066]</u> This document provides a more accessible summary of the substantive submission Protect Coastal Sussex's Deadline 1 submission – Written Representations (WRs) including summaries if exceeding 1500 words [REP1-145].</p>	<p><u>Document 1</u> The Applicant has previously provided a response to Protect Coastal Sussex regarding concerns relating to the wind resource availability in the Channel, please see Section 4, Appendix C: Applicant's response to Protect Coastal Sussex's Written Representation in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.</p> <p>The Proposed Development is sited in a location which is suitable for constructing an offshore wind farm and has a sufficient wind resource to make it viable. The operational Rampion 1 project demonstrates the viability siting offshore wind farms in the general area along the Sussex coastline. The Proposed Development is anticipated to produce the annual equivalent of that needed to supply over 1 million homes. The Applicant has over 20 years of experience in constructing and operating offshore wind farms and has determined that Rampion 2 is a viable site and productive location for wind energy generation, with a predicted wind speed of ~9.3 metres per second (m/s).</p> <p>National policy establishes an urgent need for new renewable energy infrastructure to meet the UK's energy demands, reduce the reliance on imported oil and gas and increase energy self-sufficiency, support economic growth and facilitate the transition to net zero. On this basis, the UK Government has made clear that the need for new energy infrastructure has already been established.</p> <p>The Applicant would like to highlight to Protect Coastal Sussex that National Policy Statement (NPS) EN-3, (Department of Energy and Climate Change (DECC), 2011b), paragraph 2.6.30 states: <i>"The wind resource is critical to the economics of a proposed offshore wind farm. Applicants may have collected wind speed data using an anemometry mast or similar to inform their economic modelling. However, collection of this data is not obligatory as <u>the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant.</u>"</i></p> <p>This is re-iterated in the NPS EN-3, (Department for Energy and Net Zero (DESNZ), 2024b), paragraph 2.8.28 et seq. which states: <i>"Available wind resource is critical to the economics of a proposed offshore wind farm. To inform their economic modelling, applicants may collect wind speed data using an anemometry mast or similar. Collection of this data is not obligatory <u>as the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant not the Secretary of State.</u>"</i></p> <p>Documents 2 and 3 The Applicant has previously provided a response to Protect Coastal Sussex's Written Representation at Deadline 2, for further information please see:</p> <ul style="list-style-type: none"> Appendix C: Applicant's response to Protect Coastal Sussex's Written Representation in Deadline 2 Submission – 8.53 Category 8: Examination Documents – Applicant's Response to Non-Prescribed Consultees' Written Representations [REP2-030] submitted at Deadline 2.

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