



PINS registration ID: 20045175

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25 April 2024

Via E-Mail to:

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Dear Mr Allen,

**Deadline 3 Submissions of National Highways
Application by Rampion Extension Development Limited
for an Order granting Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117**

This letter responds to the Examining Authority (ExA) Rule 8 letter dated 7 February 2024 and Deadline 3 (25 April 2024) required actions as set out on the PINS Rampion 2 webpage. It also responds to the ExA Rule 13 letter dated 11 April 2024 with regards the holding of

- 13 May 2024 Open Session Hearing 2
- 15 (& 16 May if needed) 2024 Issue Specific Hearing 2
- 17 (AM only) and 21 May 2024 Compulsory Acquisition Hearing 1 (CAH1)

National Highways is a statutory consultee to the Development Consent Order 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.*

National Highways would seek to draw the ExAs attention to the following excerpts from DfT Policy C1/22 as this provides the context for National Highways continuing concerns and requirements in connection with the Rampion 2 Application;

Department of Transport C1/22

8. This document is the policy of the Secretary of State in relation to the SRN which should be read in conjunction with the National Planning Policy Framework (NPPF), ... The policies may also be considered important and relevant to decisions on nationally significant infrastructure projects (NSIPs) in the absence of a stated position in the relevant national policy statement.

9. *This circular also sets out the way in which the company will engage with the development industry, public bodies and communities to assist the delivery of sustainable development. As such, these policies should be read by development promoters and their consultants,...*

49. *A transport assessment for consideration by the company must also consider existing and forecast levels of traffic on the SRN, alongside any additional trips from committed developments[footnote 21] that would impact on the same sections (link or junction) as the proposed development. Assumptions underpinning projected levels of traffic should be clearly stated ...*

54. *Due consideration must be given to the geotechnical integrity of land within the SRN where development would increase the load of, or otherwise alter, an embankment. In such cases, supporting plans and reports must identify the extent of the proposed works and how any risk would be managed in accordance with the DMRB.*

57. *For reasons of safety, liability and maintenance, any physical infrastructure that is necessary to mitigate the environmental effects of or on development must be located outside of the highway boundary of the SRN. In general terms, structures should be sited sufficiently far from the highway boundary of the SRN so that they cannot topple on to the SRN or undermine its geotechnical integrity[footnote 23]. Alternatively, an appropriate structural assessment that accords with the DMRB must be provided. A Road Restraints Risk Assessment must also be carried out where any furniture, structures or other features would be sited adjacent to the SRN.*

National Planning Policy Framework (updated 19 December 2023)

5. *The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework)*

114. *In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:...*

b) *safe and suitable access to the site can be achieved for all users; ...*

d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

115. *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

By reference to Policy C1/22 and the Updated NPPF National Highways focus is on the safety implications of the Rampion 2 Application and any risk of severe congestion which may be caused by construction traffic.

National Highways continues to engage with the Applicant which commenced pre application and continues.



As the ExA is aware from National Highway's Relevant Representations and PADS and submissions 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, as set out in DfT Circular C1/2022.

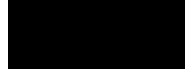
With regards the main Deadline 3 matters, National Highways responses are set out as follows:

- Appendix 1: Responses to Written Questions (ExQ1)
- Appendix 2: Comments on the Applicant's first update to the draft DCO
- Appendix 3: Comments on the Applicant's first update to the Land Rights Tracker
- Appendix 4: Comments on the first update to the Statements of Commonality of Statements of Common Ground
- Appendix 5: Comments on the Applicant's draft itinerary for the ASI (if required)
- Appendix 6: Notification of wish to attend an Accompanied Site Inspection (ASI) (if required)
- Appendix 7: Draft s106 Heads of Terms (if required)
- Appendix 8: Any further information requested by the ExA under Rule 17 of The Infrastructure Planning(Examination Procedure) Rules 2010
- Appendix 9: Comments on any further information/submissions received by Deadline 2

With regards the Rule 13 potential sessions, National Highways would seek to attend any further hearings depending on the contents of the agendas and progress with the Applicant or if required by the ExA.

In conclusion, given the outstanding issues summarised above, National Highways is still 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 is expecting the Applicant to urgently arrange to meet with National Highways.

Yours sincerely,



Kevin Bown
Spatial Planner

**Deadline 3 Submissions of National Highways
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Responses to Written Questions (ExQ1)

Part A

The following Questions, in the order they appear, were directed towards National Highways in the ExQ1 issued on 3 April 2024:

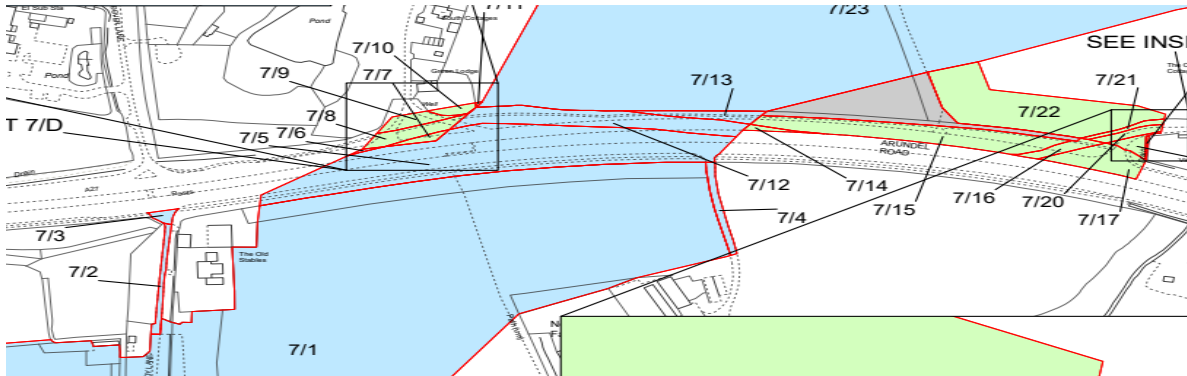
1. LR 1.17

LR 1.17	<i>Permanent Acquisition of Rights</i> National Highways	Provide a response to the Applicant's Deadline 2 submission [REP2-026] in respect to the objection raised to the permanent acquisition of rights over plots 7/3, 7/5, 7/6, 7/12 and 7/13.
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National Highways have reviewed REP2-026 *Category 8: Examination Documents Applicant's Response to Prescribed Consultees' Written Representations Date: March 2024 Rev A*. National Highways notes the Applicant has to date simply acknowledged National Highways previous representations.

National Highway's notes the August 2023 Land Plans (Document 2.1.2) show a number of plots over which Rampion 2 wish to acquire permanent rights. However, from the draft DCO, Book of Reference and elsewhere, it is unclear to National Highways exactly what rights the Applicant is seeking and for what purpose. National Highways requires this information in order to consider the implications for public safety and the operating, maintaining and/or improving the SRN now or in the future. It also remains unclear as to whether or not the Applicant's desire to acquire permanent rights could be met by alternative means. On this basis National Highways maintains its objection to the acquisition of permanent rights of plots 7/3, 7/5, 7/6, 7/12, and 7/13.

Map Extract: Rampion 2 Document 2.1.2 Map 12: National Highways A27 Plots



National Highways were contacted by the Applicant (Oliver Kirkham) by telephone on 23 April 2023 where it was stated that they had revised their list of land over which they seek to acquire permanent rights and on this basis National Highways has agreed to a meeting with the Applicant (date to be agreed). Ahead of the meeting the Applicant has agreed, to submit updated details of the plots over which they are seeking permanent rights. National Highways is expecting the Applicant to provide their justification for seeking permanent acquisition of National Highways land (which includes part of the strategic road network (A27)).

2. TA 1.1 – Traffic Assessment Methodology

TA 1.1	<p><i>Traffic Assessment Methodology</i></p> <p>West Sussex CC</p> <p>National Highways</p>	<p>Are you content with the technical note submitted by the Applicant at D2 [REP2-017] comparing the Institute of Environmental Management and Assessment (IEMA) Guidelines: 'Environmental Assessment of Traffic and Movement' (EATM 2023) and the 'Guidelines for the Environmental Assessment of Road Traffic' (GEART 1993) and the conclusions reached with respect to the assessment of the Proposed Development using EATM 2023? If not, explain your concerns including your reasoning.</p>
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National Highways notes the contents of REP2-017 *Rampion 2 Wind Farm Category 8: Examination Documents: Review of IEMA Guidelines on Environmental Assessment of Traffic and Movement. Date: March 2024 Revision A.*

Regardless of whether an Environmental Assessment/Statement ('EA/ES') is required, National Highways notes a Transport Assessment will be required for this Application in any event.

In accordance with National Highway's standard approach, National Highways will focus on the Transport Assessment and impact on the strategic road network. However National Highways may need to provide comments on any relevant comments provided by statutory consultees on the EA/ES (Environment Agency and Natural England) where those comments in relation to the Transport Assessment concern an impact on the strategic road network.

National Highways would comment that where the Environmental Assessment is produced, any transport aspects will need to align with the evidence contained in the Transport Assessment. Likewise where the Transport Assessment results in proposals concerning the carrying out of mitigation (including for non motorised users) on the strategic road network that all mitigation must comply with DMRB and subject a Road Safety Audit (RSA).

The Applicant has now submitted their access proposals to construction compounds off the A27 and if permitted by the ExA, National Highways would seek to provide their response to those proposals for Deadline 4.

Regarding the close proximity of the proposed access to the trenchless crossing of the A27, National Highways are concerned about the safety implications and the impact on the A27. National Highways still do not have sufficient detail to comment or agree details of the access and the proposed drilling. National Highways awaits the Applicant's detailed proposals for the trenchless crossing across the A27 and is not in a position to comment further on TA1.1.

3. TA 1.2 – Traffic Assessment Methodology

TA 1.2	<i>Traffic Assessment Methodology</i> West Sussex CC	State whether there is agreement with the methodology, baseline data and predicted traffic movements used to assess traffic and transport impacts in ES Volume 2 Chapter 23 Transport [APP-064] and ES Volume 2 Chapter 32 ES Addendum [REP1-006]. Identify outstanding issues, if any, and how they should be addressed.
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	National Highways	
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National Highways note the contents of APP-064 *ES Volume 23 Transport* and REP1-006 *ES Volume 2 Chapter 32 Addendum*.

National Highways would refer the ExA to National Highway's comments provided in the paragraph regarding TA 1.1 which apply equally to TA 1.2.

National Highways notes that via document APP254 Commitment Register, Commitment C-158, the Applicant through seeking to avoid HGV traffic passing through the Cowfold Air Quality Management Area (AQMA), may lead to displacement of additional HGV traffic onto the A23 and/or A27.

National Highways notes the collision statistics, including for the A27 between A284 and A280, (APP-064 paragraphs 2.2.41 & 2.2.69) and the commentary regarding the interpretation of such statistics.



National Highways agrees with the conclusions set out at APP-064 paragraph 2.2.110 in connection with the strategic road network. Subject to agreement on the details of compound accesses direct off the strategic road network, general signage of routing that uses the strategic road network and construction management matters (for example designation of layover stops, avoidance of platooning at sensitive junctions etc), all of which will be agreed via other documents, National Highways is content that the construction period should not present an unacceptable safety risk to, or lead to severe congestion on, the strategic road network.

National Highways has no comments on the Table 2-8 (APP-064) because these are concerned with the local highway network.

Part B

National Highways are referred to in the following questions in the ExQ1 issued on 3 April 2024.

1. LR 1.22

LR 1.22	A27 The Applicant	In its WR [REP1-058], National Highways state that it is not clear from the Land plans [PEPD-003] whether some of the verges on the northern side of the A27 that are subject to Land Rights are within National Highways land or within the SDNPA. The ExA considers an enlarged section of this land may assist the ExA and National Highways in ascertaining the information needed. Consider and submit at Deadline 3.
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National Highways awaits confirmation from the South Downs National Park ('SDNP') or the Applicant of the exact location of the SDNP boundary on the ground in the vicinity of the proposed compound and proposed trenchless crossing across the A27 at Hammerpot.

SDNP has described the boundary in writing through their Deadline 2 response below but no plan has been provided to date;

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.
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National Highways would require sight of the plans to enable it to engage with the Applicant and the South Downs National Park concerning the proposed works and compounds at Hammerpot.

Part C

National Highways would seek to make further the comments in connection with the following questions in the ExQ1 issued on 3 April 2024.

1. COD 1.1 & 1.2

COD 1.1	Commitments Register Horizontal Directional Drilling (HDD) Natural England Environment Agency Forestry Commission South Downs National Park Authority (SDNPA) The Woodland Trust Sussex Wildlife Trust West Sussex County Council (West Sussex CC) Horsham District Council (Horsham DC)	<p>Provide a response to the Applicant's statement in the Applicant's Responses to Relevant Representations, J3 [REP1-017] on page 416 that:</p> <p><i>"Commitment C-5 (Commitments Register [APP-254] (provided at Deadline 1 submission) has been updated at the Deadline 1 submission to clarify that Horizontal Directional Drill (HDD) or other trenchless technology will be deployed in accordance with Appendix A: Crossing Schedule of the Outline of Construction Practice [PEPD-033] secured via Required 22 within the Draft Development Consent Order [PEPD-009]. The Applicant will not switch to open-cut trenching at these locations. The appropriate realistic Worst-Case Scenario has been assessed in the ES. Note, that in the unlikely event that another trenchless technology is deployed at a specific crossing, this would require demonstration that there are no materially new or materially different environmental effects. Any change will need to be approved by the relevant planning authority through amendment to the stage specific Code of Construction Practice and Crossing Schedule."</i></p> <p>Explain whether there are any remaining concerns on the reliance on HDD or other trenchless technology at the locations specified by the Applicant in the Crossing Schedule in Appendix A of the Outline of Construction Practice [PEPD-033] to be secured via Required 22 within the Draft DCO [REP2-002].</p>
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The Planning Inspectorate

COD 1.2	Arun District Council (Arun DC) Commitments Register - Other Trenchless Technology The Applicant	<p>The phrase '<i>HDD or other trenchless technology</i>' is used in C-5, C-123 and C-124 within the Commitment Register [REP1-015]. Clarify what other trenchless technology could be utilised instead of HDD and how these have been assessed in the Environmental Statement (ES).</p>
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National Highways would require that any crossing, trenchless or otherwise (including if the process or form of crossing is changed) where it would impact the strategic road network and any land adjoining the strategic road network, is prohibited unless National Highways has provided its consent in writing.

2.DCO 1.6

DCO 1.6	<i>Part 3, Article 15</i> The Applicant	The ExA is concerned that the power in this Article, in which the Undertaker may “ <i>alter the layout of any street</i> ” to be too wide and onerous. The ExA considers that at the very least, it should be restricted to those streets within the Order limits. Respond and amend the draft DCO [REP2-002] if necessary.
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National Highways agrees with the ExA that the power in Part 3 Article 15 where ‘the Undertaker may alter the layout of any street’ is too wide and onerous. National Highways submits that if provided to the Applicant, it would provide a precedent to the Applicant or a third party to usurp the rights, roles and responsibilities of National Highways in connection with the Strategic Road Network. National Highways would require that any proposed works or alteration to the strategic road network must not take place without the consent in writing of National Highways.

2. DCO 1.7

DCO 1.7	<i>Part 5, Articles 23(2), 24 and 32</i>	At Issue Specific Hearing 1 held on Wednesday 7 February 2021 and Thursday 8 February 2024 (ISH1) [EV3-001], the ExA questioned the Applicant about the general use of restrictive
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The Applicant	<p>covenants and their apparent wide-ranging power and lack of definition. In its response at D1 [REP1-033] the Applicant stated they were all intended to be referring to a restrictive covenant (as opposed to “covenants” and “other restrictive covenants” and that the purposes for which restrictive covenants are sought in relation to land shaded blue on the Land Plans are prescribed by Schedule 7 to the Order.</p> <p>The ExA notes the Secretary of State’s decision of the M4 Motorway (Junctions 3 to 12) (Smart Motorway) DCO) (paragraph 62) which, in respect to restrictive covenants, the Secretary of State decided “<i>to remove the power to impose restrictive covenants and related provisions as [the Secretary of State] does not consider that it is appropriate to give such a general power over any of the Order land [...] in the absence of a specific and clear justification for conferring such a wide-ranging power in the circumstances of the proposed development and without an indication of how the power would be used.</i>”</p> <p>The ExA notes that the Secretary of State has taken a very similar position in the A556 (Knutsford to Bowdon Improvement) Order and the Lancashire County Council (Torrisholme to the M6 Link (A683 Completion of Heysham to M6 Link Road)) Order.</p> <p>Provide additional justification for the need and use restrictive covenants on the plots as set out in Schedule 7, and in particular the powers the restrictive covenants will contain.</p>
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National Highways would seek to have the opportunity to comment on any answer to this question provided by the Applicant.

3. DCO 1.18

DCO 1.18	<i>Schedule 1, Part 3 Requirements 10, 12 and 16</i> Horsham DC Arun DC West Sussex CC SDNPA Mid Sussex DC	Provide a response on the Applicant's amendments to the draft DCO submitted at Deadline 2 [REP2-002] in which the definition of "Commence" in Article 2 and a number of Requirements have been amended in respect to "carving-out" onshore site preparation works for the onshore Works.
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National Highways, submits that the draft development consent order does not provide a definition of "complete" or "completion". Without a definition there could be risks of mitigation or commitments which impact the strategic road network being delayed or never being implemented if a dispute arises on whether or not the relevant aspect of the project is complete or has been completed.

Appropriate definitions used, typically for highways mitigation, "completion" is defined as when the improvement works are open to traffic. Thus the landscaping, snagging lists etc, forming part of the project, could continue for some time without delaying related aspects such as promoting the delivery of other commitments or allowing other aspects of the project to come forward

4. DCO 1.26

DCO 1.26	<i>Schedule 1, Part 3 Various Requirements</i> The Applicant	West Sussex CC [REP1-054] have at various points pointed to areas where there is inconsistency in the approach to approval of the Requirements. It is the ExA's understanding that, for consistency, the discharge of all necessary requirements should be the responsibility of the relevant planning authority, with appropriate consultations undertaken accordingly (as set out in each Requirement) which should or should not involve the County Council. Review and amend, or provide specific examples where, as in the case of Requirements 17 and 18 of the draft DCO [REP2-002], it has not been used in other Orders and the appropriateness of not submitting to the relevant planning authority.
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National Highways would require the Applicant obtains consent in writing from National Highways to undertake works that impact the strategic road network or any National Highways land adjoining the strategic road network. National Highways must be consulted on any proposals, conditions/ requirements that could have the potential to impact on the safe, reliable and/or efficient operation of the strategic road network (as required in policy DfT C1/22 and the NPPF (updated) where;

- a) The traffic attracted to, generated by or rerouted as a result of proposals and/or
- b) the construction, operation or maintenance of a site adjacent to or in close proximity to the SRN.

In the case of this application, it will be the implications of the construction phase (works, compounds, construction traffic) that will need to be the subject of requirements and/or conditions and prior consent obtained from National Highways.

Any consultations/ agreement processes would need to include a timetable and provide sufficient time for National Highways to respond. .

5. LR 1.21

LR 1.21	<i>Progress with Land Rights Negotiations</i> The Applicant	Provide the following information in relation to obtaining Land Rights for the Proposed Development by agreement (include figures for AP's who have not submitted RRs or WRs): a) Total number of signed agreements required; b) Number of Key Terms issued; c) Number of Key Terms signed; and d) Number of agreements completed
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National Highways notes the LR1.21 requirements and may need to provide comment. Please see National Highways comments for LR 1.17.

6. Abnormal Indivisible Loads TA 1.3

TA 1.3	<i>Abnormal Indivisible Loads (AIL)</i> The Applicant	Confirm that Shoreham Port will be utilised for AIL deliveries associated with the Proposed Development and that ES Volume 4 Appendix 23.1: Abnormal Indivisible Loads Assessment [APP-196] is still applicable.
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National Highways will need to comment on the Applicant's response.

National Highways has a standard process to be followed by any party seeking to move an abnormal indivisible load on the strategic road network. An abnormal indivisible load ('AIL') is defined by National Highways as:

a vehicle that has any of the following:

- *a weight of more than 44,000kg*
- *an axle load of more than 10,000kg for a single non-driving axle and 11,500kg for a single driving axle*
- *a width of more than 2.9 metres*
- *a rigid length of more than 18.65 metres*

Any AIL will need to register with and then use the Electronic Service Delivery for Abnormal Loads ('ESDAL') system that contains fulsome guidance for users.

The ESDAL system makes this process easier for hauliers, structure owners, highway authorities and the police.

If you are a Haulier, you can use ESDAL to:

- *plan your route and check its suitability for your load*
- *get full details of all the organisations and authorities you need to notify before you travel*
- *notify the police, highways and bridge authorities of your abnormal indivisible load (AIL) movements around the road network*
- *submit your notifications*
- *get advance notice of any possible route problems*
- *save vehicle details and routes for future use*

It remains the case that while there are national AIL routes, those routes may not always be appropriate or usable by a particular AIL or be available at the time of the proposed move. Therefore, National Highways cannot guarantee that Shoreham Port can be utilised at all times for all loads. National Highways would expect the Applicant to follow the National Highways standard process for the movement of AILs on the strategic road network.

7. TA 1.9 & 1.11

TA 1.9	<i>Construction Traffic Movements and HGV Deliveries</i> The Applicant	<p>The ExA notes that the Applicant has committed to reviewing West Sussex CC's request to avoid construction traffic movements at peak periods in its response to the LIR [REP2-020].</p> <p>For Deadline 3, also consider how HGV deliveries could be managed to avoid peak periods at traffic sensitive locations and for any measures proposed (for both construction traffic and HGV deliveries), confirm how they would be secured in the draft DCO [REP2-002].</p>
TA 1.11	<i>Outline Construction Traffic Management Plan</i> The Applicant	<p>The ExA notes that the Applicant in response to issues raised in West Sussex CC's LIR [REP2-020] has committed to amend or consider amending the OCTMP and provide an updated version at Deadline 3.</p> <p>In addition to the updated document, provide a log of all the issues for which such a commitment was made and how it has been addressed.</p>

National Highways would seek to have the opportunity to consider the implications of the Applicant's responses and any updated documents and will respond accordingly. National Highways notes that the local highway authorities have raised concerns regarding the details of the OCTMP.

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Comments on the Applicant's first update to the draft DCO

National Highways notes that Applicant has added the National Highways Protective Provisions to the draft DCO but is concerned at the statement that it is 'engaged in ongoing discussions and negotiations with National Highways in respect of suitable protective provisions and anticipates being in a position to include final and agreed protective provisions in the DCO'. To date National Highways has not received any comment or correspondence on Protective Provisions and neither has the Applicant yet sought to meet with National Highways legal team.

National Highway would therefore hope and expect to hear from the Applicant concerning the Protective Provisions in order that these can be agreed before close of Examination.

National Highways remains undefined in the draft DCO.

Given the lack of clarity concerning the cabling route under the A27, National Highways would seek to add the following paragraphs to its Protective Provisions submitted at D1 which refers to DMRB document CG 300 and DMRB CD 622;

- The design and construction of the cable route shall be subject to technical approval and certification by National Highways Safety Engineering and Standards Division in accordance with DMRB document CG 300
- "highway structures" means any structure crossing or supporting part of or all of the strategic road network;
- [] (1) Any specified works which involve tunnelling, boring or otherwise installing the pipeline under the strategic road network without trenching from the surface, must be designed by the undertaker in accordance with DMRB CD622 and be subject to technical approval and certification by National Highways Safety Engineering and Standards Division in accordance with DMRB document CG 300 unless otherwise agreed in writing by National Highways.
(2) The specified works must not commence until—
 - (a) the programme of works has been approved by National Highways;
 - (b) the detailed design of the specified works comprising of the following details, insofar as considered relevant by National Highways, has been submitted to and approved by National Highways—
 - (i) the detailed design information;
 - (ii) the identity and suitability of the contractor and nominated persons; and



- (iii) a process for stakeholder liaison, with key stakeholders to be identified and agreed between National Highways and the undertaker;
- (c) a condition survey and regime of monitoring of any National Highways assets or structures that National Highways reasonably considers will be affected by the specified works, has been agreed in writing by National Highways; and
- (d) an acceptable security in favour of National Highways for the indemnity set out in paragraph 14 below has been put in place, which security must be maintained in place until the expiry of 12 months following the completion of all of the specified works.

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Comments on the Applicant's first update to the Land Rights Tracker

National Highways notes the contents of REP2-008 *Category 4: Compulsory acquisition Rampion 2 Wind Farm Date: March 2024 Revision B First Update of the Land rights Tracker (Tracked Changes)*.

National Highways refers back to its comments on Appendices 1 and 2 regarding parcels of land in its ownership.

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**Comments on the first update to the
Statements of Commonality of
Statements of Common Ground**

National Highways note the contents of REP2-012 *Category 8: Examination Documents Statement of Commonality for Statements of Common Ground Date: March 2024 Rev B.*

National Highways continues to correspond and has met with the Applicant regarding various aspects of the proposals with the aim of progressing them to the appropriate level of detail and/or agreement to meet the requirements of national policy.

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Comments on the Applicant's draft itinerary for the ASI (if required)

National Highways note the contents of REP2-016 *Category 8: Examination Documents Draft Accompanied Site Visit Itinerary Date: March 2024 Revision A.*

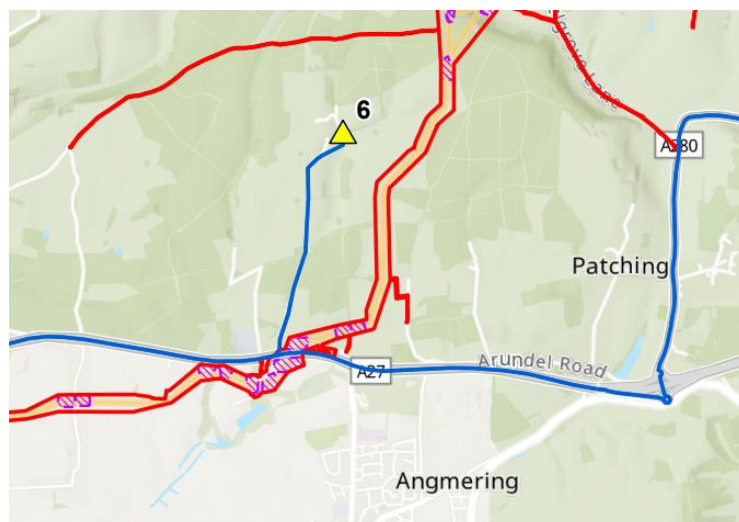
National Highways notes that the proposed route will include the parties driving along the A27 at Hammerpot in both directions. It will also include parties leaving and rejoining the A27 at Hammerpot in order to conduct visit 6: Suzie Smith Racing.

National Highways would invite all parties to observe this section of the A27, its construction and configuration, topography, existing utilities and services etc as this is the proposed location for

- A trenchless crossing
- A compound on the north side, crossing the highway verge, and located within the National Park.

National Highways would request that the parties stop at the Suzie Smith Racing access to observe the A27 in this vicinity before rejoining the A27. The maps extract below (REP2-016) and the photographic map below indicate where the stop can safely take place.

Extract from REP2-016



Photographic Map - A27 Hammerpot area at Suzie Smith Racing access.



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**Notification of wish to attend an Accompanied Site Inspection (ASI) (if
required)**

National Highways confirms that it does not wish to attend the ASI but is prepared to do so if the ExA would find it appropriate. Please see the National Highways response to the ASI route at Appendix 5 which suggests a brief stop to allow all parties to safely view the A27 in the vicinity of the proposed trenchless crossing and compound.

**Deadline 3 Submissions of National Highways
Application by Rampion Extension Development Limited for an Order granting
Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117**

Draft s106 Heads of Terms (if required)

National Highways would require any legal agreements impacting the strategic road network are secured via S278 of the 1980 Highways Act.

However, if there are to be any S106 agreements that could impact on the Strategic Road Network and/or by reference to any S278, then National Highways would require that it is appropriately consulted (or if necessary become a party) prior to the signing of any S106 agreement.

**Deadline 3 Submissions of National Highways
Application by Rampion Extension Development Limited for an Order granting
Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117**

**Any further information requested by the ExA under Rule 17
of The Infrastructure Planning(Examination Procedure) Rules 2010**

National Highways is not aware of any Rule 17 further information requests that require its input. However, if the ExA do wish National Highways to input into any such information requests, please confirm.

Deadline 3 Submissions of National Highways
Application by Rampion Extension Development Limited for an Order granting
Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117

Comments on any further information/submissions received by Deadline 2

National Highways has reviewed the 70+ submissions made by parties by Deadline 2 – please see comments below;

1. West Sussex County Council ('WSCC')

National Highways note and echo WSCC comments with regards Traffic and Transport. They quote various passages from the Energy NPS and NPPF with regards the traffic and transport aspects of proposals.

Based on these passages they go on to express concerns, in connection with the need for further details in connection with the Rampion 2 application . For example, in connection with

- construction traffic levels, types, timings, routings etc and
- the interplay between the Strategic and Local Road Networks (in practice only once the LRN routing and accesses are considered satisfactory from the LRN perspective can the SRN impacts be assessed) and
- the consequential need for mitigation in many locations and
- the consequential need for preliminary level design and
- the consequential need for Road Safety Audits etc

National Highways considers that only once the complete “package” of details (that will include an agree Transport Assessment Outline Construction Management Traffic Management Plan, Outline Construction Workforce Travel Plan etc etc) is submitted and can be holistically reviewed, will the Highway Authorities be able to proportionately and appropriately assess whether the proposals comply with national transport and planning policy.

2. Rampion 2 Category 8: Examination Documents Applicant's Response to Action Points Arising from Issue Specific Hearing 1 Date: March 2024

62 Respond to National Highways oral representations which were (amongst other things):
- National Highways should be similarly defined in the draft DCO as other statutory bodies;
- amend highway authority to include National Highways in Article 2;
- A27 to be explicitly referred to in draft DCO; and
- Schedule 1 lacks a governance of works.

The Applicant does not consider that National Highways is required to be defined in the [draft DCO \[PEPD-009\]](#) updated at Deadline 2; the definition of highway authority in the draft DCO is confirmed by reference to the definition in the Highways Act 1980 which differentiates between the local highway authority and the highway authority responsible for the strategic road network. The role of National Highways in discharging requirements is in its role as highway authority as so defined. This is consistent with a change that has already been made in the [draft DCO \[PEPD-009\]](#) to include a definition of statutory nature conservation body in place of specifying Natural England in case of a future change to the name of constitution of this body.

It is not clear how National Highways require the A27 to be referred to in the [draft DCO \[PEPD-009\]](#); reference is already included to trunk roads. Neither is it clear what National Highways wish to see in terms of a governance of works in Schedule 1 of the [draft DCO \[PEPD-009\]](#). The Applicant will consider the requirement for further changes on receipt of additional detail from National Highways.

National Highways would reiterate its concern, that unless the DCO throughout clarifies which Highway Authority is being referred to, or whether both are, there will always be



a risk that the Applicant or a third party may not consult and/or obtain the necessary agreements from the correct Highway Authority. National Highways often finds that local planning authorities fail to consult National Highways, or that applicants only consult with the local highway authority. This can lead to significant delay to projects and potentially additional costs to all parties. National Highways would therefore submit that it is in all party's interest to include the necessary clarity and certainty into the DCO.

National Highways concern was with regards to the places in the DCO where the A27 either was or wasn't mentioned. For example, the DCO separates in many instances how processes and actions will work within or outside the National Park. The A27 in different locations is within and outside the Park. Hence National Highways would wish the DCO to contain sufficient clarity and certainty on how all relevant aspects of the DCO would be implemented with regards the A27.

National Highways will continue to engage with the Applicant to reach consensus on the above points.

3. Rampion 2 Category 8: Examination Documents Applicant's Mid Examination Progress Tracker Date: March 2024 Rev B

National Highways notes the Applicant's comments with regards outstanding matters in connection with National Highways and the Strategic Road Network.

National Highways will continue to engage with the Applicant in seeking to resolve all matters.