



The Planning Inspectorate

Issue Specific Hearing 2 (ISH2)

Wednesday 15 May 2024 (Day 1) 09:30

Thursday 16 May 2024 (Day 2) 09:30

Detailed Agenda

Agenda for Issue Specific Hearing 2 – Day 1	
1.	Welcome and Introductions
2.	Onshore ecology <ul style="list-style-type: none">a) Biodiversity Net Gain including the adequacy of the Applicant's revised BNG Appendix 22.15 [REP3-019] and the wording of Requirement 14. <i>[NB the ExA will invite the relevant Local Authorities and the SDNPA to contribute to the discussion].</i>b) Horizontal Directional Drilling including the adequacy and wording of commitments C-5 and Requirements 22 and 23.c) Climping Beach SSSI including the adequacy and wording of commitments C-292, C-112, C-217, C-247 and Requirement 6(4).d) Protected species including the adequacy of surveys for DCO application, adequacy of proposed mitigation and commitments in the draft DCO, post consent mitigation licences for protected species.e) Updated monitoring, management and remedial actions in the latest Outline Landscape and Ecology Management Plan [REP3-037].f) Ecological aspects of concern specifically for the areas within the SNDP including for example, Sullington Hill SSSI and Local Wildlife Site and Michelgrove Park.g) Potential for Adverse Effect on Integrity to the Conservation Objectives of the Northern Pintail of the Arun Valley Ramsar site. Action points (if any) for this item.
3.	Offshore ecology <ul style="list-style-type: none">a) Underwater noise – general matters:<ul style="list-style-type: none">- Outstanding concerns regarding the worst-case scenario for piling.- Securing the maximum design scenario for piling in the draft DCO / draft DML.- Proposals for post consent monitoring for underwater noise.b) Issues relating to noise effects on fish and shellfish:<ul style="list-style-type: none">- The effect of noise on Black Seabream nesting activity, relating to, for example, the noise threshold levels used in modelling.

- The possible necessity for a Measure of Equivalent Environmental Benefit (MEEB) if adverse effects to Kingmere Marine Conservation Zone (MCZ) cannot be avoided.
- The effects of piling noise on seahorses.
- The effects of piling noise on Herring spawning activity.
- The efficacy of noise abatement measures proposed to be used as mitigation to counter underwater piling noise if used within the Rampion 2 setting and marine environment.
- Continued concerns of the MMO and others relating to Article 5 of the draft DCO and Schedules 11 and 12 of the draft DML.

c) Benthic environment:

- The effects of cable installation on seabed chalk.
- The use of gravel beds for cable installation vessels, particularly the effects of the gravel beds on the seabed and benthic ecology.
- Whether there is robust enough data at this stage to inform micro-siting of the cable route.
- Potential use of mechanical trenchers and cable protection across much of the export cable route and the effects this would have on the benthic environment.

d) Marine Mammals:

- Draft Piling Marine Mammal Mitigation Protocol, soft start / ramp up including securing commitments C-52 and C-265.
- Revised bottlenose dolphin impact assessment including evidence to support assessment of 'Medium' impact magnitude, mitigation and post-consent monitoring.
- Potential impacts on the harbour porpoise population trajectory.
- Marine Mammal section of the Offshore In-Principal Monitoring Plan.
- Potential Marine Mammal transboundary issues highlighted in the transboundary consultation response from France [REP3-104].

e) Offshore Ornithology:

- Cumulative impact assessment for great black-backed gull.
- Proposed compensation for impacts on Flamborough and Filey Coast SPA and Farne Islands SPA seabird features.
- Schedule 17 of the draft DCO.
- Potential Ornithological transboundary issues highlighted in the transboundary consultation response from France [REP3-104].

f) International:

- Remaining potential transboundary issues with France highlighted in the transboundary consultation response from France [REP3-104], if not covered earlier.

Action points (if any).

4.	<p>Applicant to update the ExA on progress to or latest position on:</p> <ul style="list-style-type: none"> a) Radar/Aviation negotiations and the potential need for Requirements to ensure necessary mitigation b) Tree and hedgerow loss calculations and the planned update to the Arboricultural Impact Assessment c) Updates made to the Vegetation Retention Plans submitted in the updated Code of Construction Practice [REP3-025] at Deadline 3 d) Mineral safeguarding e) Proposed method of cable laying in SPZ2 between Kitpease Copse and Olivers Copse f) Adherence to relevant marine plans and policies g) Updates to the Environmental Statement <p>Action points (if any).</p>
5.	<p>Any Other Business</p>
<p>Hearing Adjourned</p>	
<p>Agenda for Issue Specific Hearing 2 – Day 2</p>	
6.	<p>Seascape, Landscape and Visual Effects</p> <ul style="list-style-type: none"> a) Development Test in National Park <ul style="list-style-type: none"> - Minimisation of harms - Mitigation and Compensation - S245 of LURA including furtherance b) Seascape Visual Design Principles. <ul style="list-style-type: none"> - Separation or otherwise between Arrays and R1 - Horizontal Field of View and Lateral Spread - Remoteness or otherwise of WTG's c) Application of R1 Design Principles including Commitment Register C-61 d) Assessment of harm to Special Qualities and whether the Statutory Purposes of the South Downs National Park are compromised. e) Assessment of Cumulative Effects including R1. <p>Action points (if any).</p>
7.	<p>Traffic and Access</p> <ul style="list-style-type: none"> a) Kent Street Traffic Management Strategy b) Michelgrove and Tolmare Farm Traffic Management Strategy c) Need for Access A24 d) Brookpit and Crookthorn Lanes e) Tankering and Vehicle Movements to Address Water Neutrality f) Traffic Modelling <p>Action points (if any).</p>
8.	<p>Onshore Archaeology</p>

	<ul style="list-style-type: none"> a) Field Evaluation and assessment of Significance b) Commitments Register including C-79, C-80 & C-225 and DCO Requirement 19 and the updated Outline Onshore Written Scheme of Investigation [REP3-035]. <p>Action points (if any).</p>
9.	<p>Draft Development Consent Order</p> <p>Matters concerning (but not limited to) the following (which have not been discussed elsewhere on the agenda):</p> <ul style="list-style-type: none"> a) Article 6 (concerning measures within s245(3) of the Levelling Up and Regeneration Act 2023). b) Articles 11(7), 12(3), 15(5), 17(9) and 19(7) concerning the “28-day” time-period. c) SDNPA to clarify its answer to DCO 1.9 in respect to A33, 34, 44 and 45. d) Requirement 29 and whether it should include Work No.20. e) Requirement 33 and the adequacy of the Outline Skills and Employment Strategy. f) The discharging authority in Part 3 Schedule 1. <p><i>[N.B – The ExA wishes to discuss the issue of Restrictive Covenants (Part 5) as part of the CAH on Tuesday 21 May 2024]</i></p> <p>Action points (if any).</p>
10.	<p>Applicant to update the ExA on progress to or latest position on:</p> <ul style="list-style-type: none"> a) Agreement of Updated Outline Marine Written Scheme of Investigation [REP3-042] b) Submission date for additional viewpoint (s) at Oakendene Manor c) Magnitude of Change and Effect upon East Cliff Conservation Area including Madeira Terrace and Maderia Walk and the Band Stand [REP3-068] <p>Action points (if any).</p>
11.	<p>Any Other Business</p>
Hearing Closed	