

Rampion 2 Offshore Wind Farm (Project Reference: EN010117)

Deadline 4 Submission (3 June 2024)

West Sussex County Council (IP Reference 200445228)



1 Overview

1.1 This document provides a response at Deadline 4 (3 June 2024) from West Sussex County Council (hereafter 'WSCC') on the following Deadline 3 submissions by Rampion Extension Development Limited (hereafter the 'Applicant') and following Issue Specific Hearing 2 (ISH 2) on 15 and 16 May 2024. These documents are:

- Updated Draft DCO (REP3-003);
- Design and Access Statement (REP3-014);
- Biodiversity Net Gain Information (REP3-019);
- Traffic Generation Technical Note Assessment (REP3-022);
- Outline Operational Drainage Plan (REP3-023);
- Outline Code of Construction Practice (REP3-025);
- Outline Construction Traffic Management Plan (REP3-030);
- Outline Public Rights of Way Management Plan (REP3-034);
- Outline Onshore Written Scheme of Investigation (REP3 - 035);
- Outline Landscape and Ecology Management Plan (REP3 - 037);
- Updated Commitments Register (REP3-049);
- Outline Noise and Vibration Management Plan (REP3-054);
- Technical Note Construction Access Update Assessment Summary (REP3-055);
- Engagement with the Applicant on the proposed Section 106 Heads of Terms (REP3-066); and
- Applicant's responses to the first set of ExAs Written Questions (REP3-051).

2 Post Hearing Submissions (ISH 2)

2.1 Responses given by WSCC during ISH 2 have been incorporated into the responses on relevant outline documents given within this submission. Therefore, no separate post hearing submission have been produced.

2.2 One action point arising from ISH 2 required a response by WSCC. The response to Action Point 60 (Day 2, Agenda Item 98 – Onshore Archaeology, EV5-018) is provided, together with comments on the Outline Onshore Written Scheme of Investigation (OOWSI) (REP3 - 035) within this response.

3 Response to submitted documentation by the Applicant at Deadline 3

3.1 WSCC has provided a response to a number of updated documents submitted by the Applicant at Deadline 3. Further commentary is given below.

Updated Draft DCO (REP3-003)

- 3.2 Part 3, article 11 (Temporary Closure of Streets) – WSCC has previously questioned the inclusion of ‘deemed consent’ and the 28 day time period. It is now apparent in this article that deemed consent will apply only to roads not already identified within Schedule 3 (Streets to be Temporarily Closed). At this stage, it would seem that the Applicant has already identified those locations where a temporary closure would be necessary.
- 3.3 If further roads are identified within 5(b) and the deemed consent requirement in (7) enacted, this requires only that the street authority issues a decision within 28 days. A decision can be made within this time frame. It should be noted that in agreeing any additional temporary closure locations, there will still be processes that WSCC would need to apply through a Temporary Traffic Regulation Order (TTRO) to enact any agreed closure. The Applicant should note that an 8 week time frame would be required for a TTRO.
- 3.4 Part 3, article 16 (Temporary Speed Limits) – This article should clearly state this refers to temporary rather than permanent speed limits.
- 3.5 A Temporary Speed Limit would require a Temporary Traffic Regulation Order. Ordinarily a TTRO requires a 12 week period to enable WSCC to process the required Order. WSCC requests the 4 week notice period referred to in (2) must be increased to a minimum of 8 weeks.
- 3.6 Schedule 13 – Hedgerows - This requires amending to reflect changes within the Vegetation Retention Plans (VRP) shown within the Outline Code of Construction Practice (OCoCP). This is needed to ensure article 44 permits removal of the required hedgerows. In light of this, the Tree Preservation Order and Hedgerow Plan (PEPD-007) also requires amendment to reflect changes identified within the revised VRPs shown within the OCoCP.

Design and Access Statement (REP3-014)

- 3.7 The changes presented by the Applicant are welcomed by WSCC, in particularly the clearer identification of ‘principles’ and greater certainty with regard to advance planting (the new phasing plan is also very much welcomed), noise mitigation and some additional (albeit limited) details of the architectural strategy. Some further commentary on this updated document is given below:
- Regarding noise (Table 3-6), WSCC previously commented regarding reducing operational noise thresholds as close to background levels as possible remain relevant. Further, it is questionable whether the principles here should also reflect/elaborate upon noise mitigation and attenuation measures as set out at Table 2-1, L5. It is key that the principles set out the measures to be adopted to ‘minimise noise’ as far as practicable (i.e. not only to the threshold levels).
 - Table 2-2, AS4 – ground levels. It is noted that no import or export of materials is expected, however, without clarification on what groundworks and change in levels is likely, there remains potential for significant localised changes to landscape and visual impacts. The extent and depth of attenuation basins (at

1.5m) coupled with the groundworks required, is likely to result in considerable volumes of material that will need to be placed elsewhere on site resulting in elevated areas above existing ground levels. It has not been demonstrated how the LVIA has taken this into account or whether opportunities to utilise this material to maximise screening/noise attenuation have been considered.

- AS5 – this does not use AoD heights as have been specified in the updated DCO Requirement.
- 3.3.6 – As previously noted, WSCC are not convinced that the photomontages of the buildings show the worst-case scenario, for example, lightening masts are excluded and the potential change in ground levels not accounted for.
- Regarding the updated Oakendene Substation Indicative Landscape Plan, the additional planting/updated planting provision is welcomed (e.g. at the access and to the south west corner). However, it is somewhat concerning that the native woodland planting belt along the east of the site (adjacent to Kent Street) seems to be narrower, which could potentially reduce its screening effect. Further along this boundary, the plan notes '*Retained and protected tree cover along Kent Street Lane*', however, this seemingly conflicts with the latest VRPs in the OCoCP, which show this as a hedgerow '*cleared to 20m*' – this is of concern given the screening effect of the mature existing boundary.

Biodiversity Net Gain Information Rev. B (REP3-019)

- 3.8 The adoption of the statutory biodiversity metric is welcomed. The new Section 4.1.7 is also helpful. However, it states that '*habitats being temporarily lost to development will not be reinstated for up to 2 years.*' WSCC suggest that this is somewhat misleading as some areas such as temporary construction compounds, cable joint bays, some haul roads, some construction access roads and the landfall will not be reinstated until the end of the full construction period, as stated in Commitment C-103.
- 3.9 Recognition in Section 5.2.1 that there may be opportunities for habitat enhancement (and not simply reinstatement) within areas of temporary construction, such as construction compounds, is welcome.
- 3.10 Some of the tables, notably Table 4-8, would benefit from further breakdown and explanation. It is suggested that Table 4-8 would be easier to interpret if the column headings were presented as unit type, baseline units, post-construction units, number of units required to achieve no net loss, units required to achieve 10% BNG and the total number of units required to deliver the Project.
- 3.11 It would be helpful if Section 5.4 (Securing Biodiversity Net Gain) could be expanded to describe all of the stages and mechanisms involved in securing BNG, including the proposed stage specific BNG strategies, Section 106 agreements and conservation covenants.

Traffic Generation Technical Note, Rev C (REP3-022)

- 3.12 WSCC previously commented on the use of estimated traffic flows for Michelgrove Lane (P) and Kent Street (U) [REP2-034]. Traffic data has been obtained for Kent Street, leaving only Michelgrove Lane where flows are estimated. For the purposes of the Traffic Generation Technical Note, whilst surveyed data could be sought, in practice, this is considered unlikely to alter the conclusions arising from using the traffic estimates. The use of estimated traffic flows for Michelgrove Lane is therefore accepted by WSCC.
- 3.13 As noted elsewhere within this response, there needs to be further engagement concerning those activities permitted during the 'shoulder hour' as the issues relate to wider impacts beyond just the operation of the highway network.

Outline Operational Drainage Plan (REP3-023)

- 3.14 This outline document adequately addresses the questions and concerns raised by WSCC, as the LLFA, to date. Clearly, the Applicants commitments around flood risk, drainage, and water management will be monitored during the detailed design and construction phases.
- 3.15 Following engagement with the Applicant, one new commitment (C-293) has been added relating to undertaking ground investigation and groundwater monitoring at the substation site at the detailed design stage. WSCC, as LLFA, are happy with the wording of this commitment which states: Commitment C-293: *RED will undertake ground investigation at the substation site at the detailed design stage, including groundwater monitoring in at least one appropriate location in close proximity to the watercourse to the south of the site, for one winter period (September to April). This would be carried out to inform the detailed design of the substation, including design of the drainage system and its associated landscaping and planting measures.*
- 3.16 It should however be noted in Section 2.4.17, that proposed planting could change post decision, given this will need to be informed by groundwater monitoring that has yet to be undertaken.

Outline Code of Construction Practice, Rev C (OCoCP) (REP3-025)

- 3.17 Working Hours (Section 4.4) - WSCC consider that shoulder hours for deliveries in some sensitive locations may not be appropriate (e.g. where there are sensitive receptors proximate that could be affected by HGV noise and reversing alarms). Where no highway safety implications would result (noting the potential for additional movements in peak hours) this should be considered. Further, clarification should be made that working hours would also apply to the use of any generators (continuous use of which at construction compound locations resulted in complaints for Rampion 1 OWF).

3.18 In general, the updated VRPs are welcomed, including the consolidated plans which allow for easier review. However, it is also concerning that these seem to show an increase in the volume of clearance/extent of affected features than previously identified. WSCC have a number of additional comments regarding the VRPs, which are given below:

- Additional keys on VRPs would provide better clarity of constraints; such as: indicators of important hedgerow, TPOs, ancient woodland, veteran trees, haul roads, and access points with their indicative alignment and visibility splays.
- VRPs currently identify features including woodlands, tree lines and hedgerows which are proposed to be impacted; also indicated is the length of impacts to the proposed feature. This does not provide adequate detail as to the area of feature impacted to provide a realistic worst case scenario. For example, H505 (west of Kent Street) is shown to be cleared to 20m which whilst stated elsewhere to be required for the access point A-61, there is no control in place to limit this total clearance to any point along the circa. 550m length of hedgerow as displayed. WSCC request that VRPs clearly show the area of intended impact on these features.
- Concerns remain as to whether VRPs reflect visibility requirements for access points accurately, which will likely result in considerably more hedgerow and tree losses at the detailed design stage. This reiterates the points previously made by WSCC around the potential for visual impacts (by opening views along the cable corridor and impacting upon key landscape features of the various landscape character areas) and the extent to which the Landscape and Visual Impact Assessment (APP-059) has considered this.
- WSCC remains concerned with the wording of Commitment C-220 and paragraph 5.6.28 of the OCoCP. It is considered that any losses over those stated in the VRP must be agreed in writing by the relevant planning authority (not only in consultation with them).
- The current wording of paragraph 5.6.28 now also states that “*reductions in losses*” from that stated within VRPs will also be justified in consultation with the relevant planning authority. As identified within Appendix A of this document, many hedgerows adjacent to access points are shown to be cleared within the VRPs, rather than the expected ‘coppicing’ (reduction in height to 0.9m) as stated within paragraph 5.6.35 and Commitment C-224. It is paramount that the VRPs accurately present realistic vegetation requirements proposed by the Applicant.
- Paragraph 5.6.3 suggests that haul roads are shown on VRPs whereby vehicular access is still required despite trenchless crossings being utilised. This has not been identified on VRPs and should be addressed by the Applicant.
- Paragraph 5.6.32 suggests Commitment C-224 ensures that habitat losses are minimised where woodlands will be crossed using open trenching techniques. The relation to this commitment in the context given is not understood and further clarification is required.
- Commitment C-224 states “*Where vegetation clearance is required to provide visibility splays at access points for the purposes of safe access and egress any hedgerows that require cutting will be retained, by cutting to a height of 90cm where safe to do so (any hedgerow trees will be considered on an individual*

basis). These "coppiced" hedgerows are shown on the VRPs that accompanies the Outline Code of Construction Practice." Following an exhaustive review of access points and VRPs by WSCC (identified within Appendix A of this response), no hedgerow has been identified for coppicing for the entire Project despite numerous potential opportunities.

- Paragraph 5.6.37 suggests that coppiced tree lines will be shown as '*temporarily lost*' within VRPs. None have been identified and no key is provided for this on the key for VRPs. Therefore, it is not known if tree line clearances shown within VRPs are permanently or temporarily lost and further clarification is required. WSCC requests amendment of Commitment C-224 to reflect tree lines.
- In light of the above statements, WSCC believes there is an opportunity to reduce hedgerow and treeline loss through the consideration of coppicing which would demonstrate a mitigation hierarchy has been applied for vegetation management, rather than clearance as the starting point.
- Paragraph 5.6.43 suggests that hedgerows which are '*temporarily lost*' due to access works are shown within VRPs. However, hedgerows requiring loss to enable upgrades to operational access points (which are permanent), such as A-42, are shown as '*cleared to xx m*' which is suggestive of a temporary loss, despite the loss being partially or entirely permanent. Therefore it is not known if VRPs are accurately identifying both temporary and permanent hedgerow loss, nor if reinstatement can occur at such locations and further clarification is required.
- WSCC would welcome a commitment within the OCoCP and OLEMP which details how reinstatement of access points will be addressed due to the above stated uncertainties.
- WSCC has raised concerns over the adequacy of the VRPs on numerous occasions. Despite the Applicants acknowledgement to these concerns at topic specific meetings, issue specific hearings, in response to WSCCs LIR (Appendix G), and in response to the ExAs Written Questions (TE 1.8), with the response that a full multi-discipline review of errata has taken place, WSCC are still identifying the same issues as well as additional ones. For example, H307 shown for retention where construction access is required, missing tree lines and hedgerows between H284 and H277 adjacent, with many more new examples identified within Appendix A of this response. WSCC request a further review of VRPs and advise a direct response is provided for findings identified in Appendix A of this response and Appendix G of the WSCC LIR (REP2-020). WSCC has requested further engagement with the Applicant on these matters is needed.
- Woodland ref. W3713 has been shown for partial clearance to facilitate the cable corridor within the Arboricultural Impact Assessment (APP-194), though both the indicative landscaping plans and VRPs show this woodland as being retained. This needs to be assessed in conjunction with the Project arboriculturist and identified consistently on the VRP and AIA plans.
- VRP (Figure 7.2.2c (B)) does not clearly identify proposed vegetation management for ancient woodland west of Michelgrove Park, leading to access point A-25. Combined VRP (Figure 7.2.6d) indicates these features are affected. Further clarification is required as well as revised detail within VRPs.

- WSCC believe a hedgerow between and connecting H506 and H518 within the proposed Oakendene substation site has not been identified within VRPs.
- WSCC still have concerns over how quickly reinstatement will be possible given the exclusion of accesses, haul roads and compounds from Commitment C-103 (and based on experience of Rampion 1 OWF, where the large areas of reinstatement were only possible upon full completion of construction activities).
- As identified on occasions within Appendix A of this response, vegetation clearance adjacent to certain access points which are for both construction and operational use, have been based on visibility splays whereby a temporary speed restriction has been accounted for. It is not clear if the vegetation clearance stated will be suitable for operational use of these accesses once temporary speed restrictions are removed following completion of construction.
- Submission of indicative visibility splay information for these access points, at the relevant speed for its intended use, would demonstrate to WSCC that the above considerations have been accounted for. Visibility splays should also be shown on VRPs to aid understanding of vegetation loss requirements.
- As identified within comments on the Outline Construction Traffic Management Plan, Revision D (OCTMP) (REP3-030), WSCC have raised concerns for the use of Manual for Streets (MfS) being used for the design of accesses in certain scenarios (for roads with 40mph or above speed limits). Any changes made to visibility splays will need to be reflected within VRPs and associated documentation.

Outline Construction Traffic Management Plan, Revision D (OCTMP) (REP3-030)

3.19 WSCC has reviewed a number of iterations of the OCTMP and the measures contained within the OTCMP are largely agreed. It is recognised that these measures provide a framework that will be taken forward and included within more detailed site/phase specific construction management plans under the relevant DCO Requirement. Further comments on Revision D are given below:

- Table 2-1 (section 2.5.2) summarises the WSCC comments made against the OTCMP within the WSCC Local Impact Report (REP1-054). The Applicant's responses are noted.
- 3.6.5 – WSCC has commented previously regarding those activities to be permitted during 'shoulder hours'.
- 4.1.9 – The Applicant's comments concerning the timing and provision of Road Safety Audits as recommended by WSCC is noted. This is also included within Appendix C of the OTCMP.
- 4.4.1 – The addition of the reference to Manual for Streets (MfS) being used for the design of accesses is noted. In referring to MfS, it is acknowledged that there are two publications (MfS1 and MfS2). These are effectively companion documents, with MfS2 providing further application of the principles in MfS1. Unless specific guidance or section from MfS1 or MfS2 is being quoted, reference to MfS should be taken as meaning both MfS1 and MfS2 given these are companion documents.
- The use of MfS has previously been recommended by WSCC and is accepted where posted speed limits are 30mph or less. It is also indicated to use MfS

standards where the speed limit is 40mph and in some instances 60mph. WSCC recognise the guidance within MfS2 where it is advised that MfS1 standards are used as the starting point by designers but goes on to make reference to the use of MfS respecting the local context. As a result, it is not a given that MfS will be appropriate for all 40mph or higher speed limits particularly where the functional context of the road is one of traffic movement and is located outside of an urban area.

- 4.6.7, Table 4-2 – As noted in 4.4.1, MfS standards are indicated as applicable to roads with a posted speed limit of 40mph and in some instances 60mph. A caveat should be included to say where the posted speed limit is 40mph, that the use of Design Manual for Roads and Bridges (DMRB) or MfS standards are to be viewed against the local context and agreed with WSCC.
- 4.6.9, Table 4-3 – Looking at the specific locations where the speed limit is 40mph and MfS standards proposed for the access designs, it is apparent that the majority, if not all, the locations are such that MfS may not be appropriate due to the local context. This is particularly so for accesses A-05 (serving the site compound at Climping), A-32, 33, 34, 35 (which are all onto the heavily trafficked rural A283), and A-52 (onto the rural A281).
- Where MfS standards are being used for 60mph speed limits, this in principle isn't unacceptable for lightly trafficked country lanes. There are some inconsistencies in Table 4-3 that need to be revised by the Applicant however. As examples, A-49 (onto the B2135) is indicated as MfS whereas A-50 to the north is not, A-62 (Oakendene Industrial Estate onto the A272) is indicated being appropriate for MfS, and A-64 (Kent Street) is indicated as MfS whereas A-59, 60 and 61 are not.
- 5.6, Table 5-3 – There still appears to be a discrepancy for A-56 between the two way HGVs movements indicated in this table and Table 6-7 of the Traffic Generation Technical Note.
- 8.2 – The summary of mitigation for A-26 and A-28 is noted. Detailed comments on this mitigation are made against the 'Traffic Management Strategy' within Appendix D.
- 8.2.16 – The principle of using temporary speed limits is accepted, albeit there will need to be justification provided as to why other mitigation is not appropriate. The exact locations and extents will need to be agreed through stage specific CTMPs. Notwithstanding the minimum recommended speed limit length within the WSCC Speed Limit Policy, WSCC would request that temporary speeds limits are localised around the access locations (unless agreed otherwise). Minimising lengths of temporary speed limits along with the presence of warning signage and actual turning vehicles will aid compliance with the temporary limit.
- 8.4 - As a general point, WSCC are aware of a number of projects that may overlap with the Rampion 2 proposals. This includes the battery energy storage facility west of Kent Street (Horsham District Council reference DC/24/0054) as well as solar farm at Burnthouse Lane (HDC reference DC/23/2172). Neither of the two examples are permitted but there should be a commitment for the Applicant to co-ordinate with other project proposals where necessary. An additional point should be added within 8.4.
- 8.4.24 – The potential use of other ports for Abnormal Indivisible Loads (AILS) is noted. AILS are expected to be relatively few in number and will be subject to separate statutory provisions within The Road Vehicles (Authorisation of Special Types)(General) Order 2003. Through the 2003 Order, a haulier is required to give notice and agree a suitable route with WSCC and the Police

ahead of AILs movements occurring. The movement and routing of AILs are therefore controlled by other means and an AILs assessment identifying the port location is therefore unnecessary. It will still of course be appropriate to identify where AILs are expected for the purposes of the design of the access works, the majority of which are to be agreed post examination.

- Appendix A of this response highlights a number of concerns which related to the OCTMP. Predominantly Appendix A and the consideration of vegetation management to facilitate access points and their visibility splays. There remains a general concern that detailed access design will result in further hedgerow and tree loss than shown within VRPs.
- Section 4.4.2 states "*Where it is proposed to use existing field gate accesses or farm tracks where there is no existing visibility splay, a visibility splay will be provided through the medium of coppicing (to below 1m as set out in DMRB Figure 3.3 (Standards for Highways, 2021)). At this stage, these visibility splays have been provided to design standards for the speed limit of the road and not aligned to DMRB CD123 Figure 3.3 "Direct Accesses" (Standards for Highways, 2021)*". As demonstrated within Appendix A of this response, and as discussed within section 3.18, 'coppicing' has not been stated within VRPs for this purpose.
- Table 4-1 'Temporary construction and operational accesses' states certain access points as existing, despite a new access being required, A-67 for example. Section 4.5 may also require amendment to reflect A-67 if retained for operational use.
- As a general point it is concerning that, for the small number of locations where more detailed access design and construction traffic measures have now been provided, these have resulted in the need for additional vegetation losses and introduction of passing bays (both at specific access points and on the wider highway network), both of which are likely to result in increased impacts upon the landscape character and appearance of the affected locality. It is concerning that this could be the case for numerous other accesses/rural highways at the detailed design stage, that the LVIA has not currently considered, and for which reinstatement proposals remain unclear.

Appendix D – Technical Note – Construction Accesses A-26, A-28, A-61 and A-64 Traffic Management Strategies, Revision A

3.20 The following are comments against the principles of mitigation shown in the Technical Note. Unless stated, comments are not made against specific numbered points.

General Comments

- Clarification is requested if the cable drum HGVs are classed as abnormal loads. These would appear to be by virtue of their length. If they are, these would need to be covered through the AILS Assessment.
- There is a 12 week lead in time of the TTRO required for the 40mph speed limits unless these can be included within the DCO.
- Notwithstanding the requirements within the [WSCC Speed Limit Policy](#) concerning minimum lengths of speed limits, the extents of the temporary limits should be confined to the general area of works rather than spread over a significant distance. It is considered that shorter lengths of temporary limit with suitable HGV turning signage and the presence of related construction

activities and vehicles will make it more apparent to drivers why the limit is in place and therefore aid compliance. The exact length of any temporary speed limits will need to be agreed with WSCC.

- Ordinarily a TTRO will be made with an 18 month duration. TTRO with a longer duration can be made but this will need to be specified by the Applicant and discussed with WSCC.
- From ISH 2 on the 16 May 2024, a number of concerns were raised by local residents concerning the management of HGVs and Non-Motorised Road Users (NMUs) primarily on Kent Street. In recognising these concerns, it is apparent that NMUs may be present on Kent Street albeit these are expected to be low levels given the local context. It is also accepted that the level of impact would vary depending on whether access A-61 or A-64 (A-64 is closer to the A272 and requires a short length of Kent Street to be used compared with A-61 that is much further to the south) is in use as well as across the construction period with there being quite well defined traffic peaks. Nevertheless, the Traffic Management strategy should be updated to include specific measures concerning the management of site traffic and NMUs present on Kent Street. These measures may vary depending on the access in use and the level of construction activity. Alongside management measures on Kent Street itself, this could also include notifying residents of impending peak weeks of construction activity. WSCC accept that further detailed measures will be forthcoming as part of subsequent site/phase specific construction traffic management plans.
- Whilst the majority of the above refers to Kent Street, there are other similar rural locations where traffic management measures need to account for NMUs. Such management measures should be developed by the Applicant where construction traffic interacts with Public Rights of Way.
- The Traffic Management Strategy for Kent Street provides proposed details of four passing places along Kent Street, the widening of western junction with A272, and visibility splay requirements for the junction with A272. The impacts of which to trees, woodlands and hedgerows situated within and outside of the highway has not clearly been demonstrated with the current ES documentation. This is anticipated to result in addition loss or clearance than currently identified in order to carry out construction suitable for the expected loading, resulting in a notable visual change to Kent Street and potentially it's rural character. Control measures should be put in place to ensure any temporary formalisation of passing bays and the widened junction within the highway are returned to their current use.

A280/Michelgrove Lane/Tolmare Farm

- The 40mph temporary speed limit is noted. WSCC have consulted on a permanent 40mph speed limit on the A280 Long Furlong from a point west of the Tolmare Farm access (A-28) through to the A24. This is due to be installed later in 2024. The extents of the temporary 40mph can therefore be revised upon this installation.
- The swept paths for HGV tipper trucks indicate that a vehicle turning left from Michelgrove Lane (A-26) onto the A280 would occupy the southbound lane of the A280 to complete the manoeuvre. Given the speed and volume of traffic on the A280, and the number of exiting HGV movements, this is not accepted by WSCC. Where possible all exiting HGVs will need to be directed to using the

temporary signals at Tolmare Farm (A-28). When this is not possible (i.e. when the haul road to complete the route to A-28 is being installed or removed), some form of traffic management or turning restriction would be necessary for HGVs at the A280/Michelgrove Lane junction.

- LGV access is indicated to be unrestricted to Michelgrove Lane (A-26) allowing LGVs to arrive and depart in any direction. What is the achievable forward visibility for a trailing southbound vehicle to a stationary vehicle waiting to turn right into Michelgrove Lane, and likewise what is the forward visibility for a vehicle turning right onto Michelgrove Lane to northbound traffic? Further consultation with WSCC is required on these matters.
- As a general point, the use of temporary traffic lights at A-28 for the full 45 weeks should be re-assessed. The use of traffic lights for this period of time will have consequences for the programming of other temporary works in the vicinity. WSCC need to understand what other measures the Applicant may have considered leading to the traffic management scheme now proposed and whether the temporary traffic signals are required for the full 45 weeks.
- When the traffic lights are in place, it is requested that movements requiring the traffic signals are limited to avoid the peak hours. The A280 performs an important part of the highway network linking the A27 to the A24, and as such is heavily trafficked and sensitive to potential delays caused by the proposed traffic signals.
- The tracking drawing for the cable drum HGV indicates that the left turn movement from A28 Tolmare Farm is not achievable. Clarification is needed on whether any temporary works are proposed to enable these movements.

A272/Kent Street

- As noted above, there is the concern regarding the 40mph temporary speed limit and whether there will be compliance with this. If a temporary speed limit is necessary, this should be limited to around the area of works with there also being suitable warning signage. Having a more localised temporary speed limit around Kent Street and Oakendene (i.e. the area of works) will make it more obvious to drivers why a temporary limit is in place. The currently proposed temporary 40mph limit is considered too long by WSCC.
- Clarification is needed whether the A272 road widths on the tracking drawings are accurate. The drawings appear to show the A272 being quite wide. The actual lane widths appear to be no more than 3.5 metres in each direction. The A272 does widen in the vicinity of the Kent Street junction but only to accommodate a taper at the Picts Lane junction opposite.
- The above point aside, the tracking for all HGVs turning left appears to indicate encroachment into the eastbound traffic lane. For the tipper HGVs, the tracking for a left turn out does not make use of the temporary widening, hence this movement may well be mitigated by changing the tracking. For the longer articulated HGVs, is there scope to introduce a corner taper to assist with left turning exiting vehicles? If these movements cannot be mitigated through changes to the design, further controls may be required to assist exiting vehicles (it is noted that banksmen are proposed presumably along with the use of stop/go boards). The larger cable drum HGVs should be timed to avoid peak hours.
- As a point of principle, are HGVs anticipated to turn left (to the west) out of Kent Street onto the A272 and therefore towards Cowfold? It's accepted that the site compound at Oakendene is located to the west but unless the HGV is returning to the compound or has another local destination to the west, the

HGV routing strategy otherwise would require vehicles to travel eastwards and thereby avoiding Cowfold. Further clarity is required on this matter.

- It is noted that the proposed widening at A272/Kent Street will result in the loss of vegetation on the westside of the junction. Full consideration of this impact must be addressed through the relevant DCO documentation. See elsewhere in this response where concerns are raised.
- In light of the Oakendene compound being used as a holding area for HGVs, tracking drawings are required to demonstrate the adequacies of the existing A272 junction.
- The passing places are noted. The extent of public highway varies along Kent Street as such it's not a given that these are within the highway. The highway boundary would need to be determined and shown on the relevant drawing alongside the proposed passing places. Confirmation would be required the passing places are also within the DCO Limits.
- Table 3-1 indicates 12 and 24 hour averages of the north and south bound flows rather than totals. The table should be revised to provide totals rather than averages.

Outline Public Rights of Way Management Plan (REP3-034)

3.21 At ISH 1, it was requested by both residents and WSCC that impact on PRoW crossed by trenched cable crossing methods should be minimised. However this does not appear to have been considered further by the Applicant. One particular example is the crossing of BW1730, which is still proposed as a trenched crossing even though it will have a high impact on local connectivity due to the importance of this route to the surrounding PRoW network. Whilst the Outline PRoWMP does now consider that construction traffic will, where possible, give way to lawful public path users, it is not believed that these amendments go far enough to consider the impact on the severance the Project will bring and where small sections of PRoW cause large scale disruption to users.

Response to Action Point 60 (Day 2, Agenda Item 98 – Onshore Archaeology)

West Sussex County Council / the Applicant to consider and respond on possible alterations to Requirement 19 and related Commitments, C-79, C-225 with the scope of removing ambiguity in respect to trial trenching

- 3.22 At the ISH (Day 2, Agenda Item 98 – Onshore Archaeology), WSCC raised concerns that the amended Commitment 225 does not currently fully commit to delivery of engineering and design solutions for avoidance avoidance/preservation of significant archaeology. And thus avoidance of harm to nationally significant archaeology still cannot be guaranteed.
- 3.23 WSCC's remaining concerns with Commitment 225 lie with the ambiguous wording relating to the delivery of design solutions, with the use of caveats such as, '*consideration will be made for engineering solutions*' and '*where impacts are not avoidable, these will be minimised where possible*'.

- 3.24 The ExA asked WSCC to respond on whether removal of the ambiguous wording from Commitment C-225, and/or the changes to the wording of dDCO Requirement 19, would address these concerns.
- 3.25 As per WSCC's Response to Examining Authority First Set of Written Questions (25 April 2024) (REP3-073), WSCC's Local Impact Report (REP1-054), Relevant Representation (RR-418) and other previous written submissions, WSCC's position remains that despite the suite of non-intrusive works undertaken, the Applicant is currently unable to fully and adequately describe the significance of the heritage assets affected by the Project, due to the lack of prior trial trench evaluation. It is therefore also not currently possible to be sure that the mitigation proposed by the Applicant will be suitable or feasible for any archaeological features identified post-consent during the field evaluation process, or that it will reduce the magnitude of harm to the degree modelled within the ES chapter (PEPD-021).
- 3.26 WSCC draws attention to the requirements of the relevant planning policies (NPS EN-1 for Energy (January 2024), paragraphs 5.9.8 to 5.9.12; National Planning Policy Framework paragraphs 200), which place a duty upon the Applicant to describe the significance of any heritage assets affected by the Project. WSCC also draws attention to the Low Carbon Solar Park 6 planning judgement highlighted within WSCC's Response to Examining Authority First Set of Written Questions (REP3-073), and upon which the Applicant has now been asked by the ExA to comment. This judgement enshrines the importance of field evaluation for understanding archaeological significance and mitigation, and thus ensuring decision makers have the information necessary to a conduct a proper balancing exercise.
- 3.27 The refusal to grant planning permission was upheld and the challenge made on ground of procedural unfairness was rejected by the High Court, partly on the basis of insufficient archaeological field investigation.
- 3.28 It is WSCC's position that field evaluation needs to be undertaken prior to a decision, to provide the necessary degree of understanding of significance, magnitude of harm and mitigation. In the absence of field evaluation, a firm commitment must be made by the Applicant to the avoidance of harm to significant archaeology by design or engineering solutions.
- 3.29 In the absence of prior field evaluation, WSCC therefore would require the removal of the ambiguous wording from Commitment C-225, to ensure a watertight commitment to the delivery of engineering solutions (e.g. narrowing of the construction corridor, divert cable route within DCO Order Limits, re-siting stockpiles, additional trenchless crossings) to avoid impacts.
- 3.30 Changes to the wording of dDCO Requirement 19 are also recommended to strengthen this commitment.

- 3.31 It must be noted that this approach does not entirely remove the risk of harm to nationally significant archaeology. In the event that significant remains are identified that may not be suitable for preservation in situ (such as fragile or ephemeral features or extensive areas of lithic scatters), mitigation by excavation ('preservation by record') may be the only feasible solution. Therefore, even with changes to the wording of Commitment C-225, there remains a risk of major adverse effects to nationally significant archaeology.
- 3.32 WSCC therefore requests:
- Changes to wording of Commitment C-225 to remove ambiguity and commit to the delivery of engineering solutions for the avoidance of harm to significant archaeological features (where preservation in situ is demonstrated to be suitable mitigation for the archaeology in question).
 - Changes to dDCO Requirement 19 to commit to preservation in situ of significant archaeological remains, if the archaeology in question is suitable for this form of mitigation.
- 3.33 Suggested revisions to Commitments Register (REP3-049), Commitment C-225: *"Where previously unknown archaeological remains of high heritage significance are identified through surveys along the cable route, and where these locations have not been possible to avoid during earlier design stage, engineering and design solutions (e.g. narrowing of the construction corridor, divert cable route within DCO Order Limits, re-siting stockpiles, trenchless crossings) will be employed to avoid impacts. In the event of the discovery of archaeological remains of high heritage significance which are not suitable for preservation in situ on archaeological grounds, an appropriate programme of mitigation will be undertaken to ensure preservation by record. Such measures will be reviewed in consultation with relevant stakeholders (WSCC Archaeologist local planning authority and Historic England). An onshore outline WSI provides detail of appropriate methodologies to be implemented during the evaluation and mitigation stages of the archaeological works."*
- 3.34 Suggested revisions to Schedule 1, Part 3, Requirement 19 (5) of the dDCO (REP2-002): *"In the event of the discovery of high significance archaeological remains within the onshore Order limits, their significance and suitability for preservation in situ must be assessed by field evaluation, in accordance with the outline onshore written scheme of investigation. Any suitable high significance archaeological remains will be preserved in situ. Should archaeological remains be left in situ on any site, a site-specific archaeological management plan must be submitted to and approved in writing by the relevant planning authority. Any further works, including removal and reinstatement, must be carried out in accordance with the approved site-specific archaeological management plan, unless otherwise approved by the relevant planning authority."*
- 3.35 In the absence of prior field evaluation, the above changes to Commitment C-225 and to dDCO Requirement 19 would largely satisfy WSCC's current concerns. However, WSCC remains sceptical that the Applicant is able to fully

commit the required design and engineering solutions, especially in the event of the discovery of extensive significant archaeological remains in certain parts of the DCO Limits, where the working corridor may be narrower, and/or is already subject to numerous topographic and environmental constraints.

West Sussex to respond to the submitted Written Scheme of Investigation

3.36 Please see below for WSCC's response to the OOWSI.

Outline Onshore Written Scheme of Investigation (REP3 - 035)

3.37 In general, the updates to the Outline Onshore Written Scheme of Investigation (OOWSI) are welcomed by WSCC. The comments below should be read in conjunction with Table 1 which sets out suggested wording changes of additional to the text of the OOWSI.

Commitments and securing mechanisms

3.38 The inclusion of specific references to the archaeological commitments (paragraph 1.2.3) and setting out how the OOWSI will deliver these, is welcomed. WSCC is satisfied that these commitments are thus secured.

3.39 WSCC finds that Commitment C-225 does not provide sufficient guarantee that, in the event that high significance remains are identified, it will be possible to secure their preservation. The wording of the commitment remains somewhat vague, with phrases such as '*consideration will be made for engineering solutions*' and '*where impacts are not avoidable*' conveying a lack of certainty.

3.40 By the nature of the process, mitigation by avoidance/design is contingent upon engineering constraints and will rely on the feasibility of any design solutions proposed by the Principal Contractor (paragraph 4.4.10). Please see above (Response to Action Point 60 (Day 2, Agenda Item 98 – Onshore Archaeology), and WSCC's response to the Applicant's Responses to Examining Authority's First Written Questions [REP3-051]) for further comments (Appendix B).

Role of WSCC

3.41 The amendments to the Archaeological Curators section (paragraphs. 1.3.9-1.3.12) are noted. The wording now accurately reflects the revised post-consent role of WSCC, as necessitated by resource and time constraints given the scale of the Project. The wording is now in line with the requested changes to Schedule 1, Part 3, Requirement 19 of the Draft Development Consent Order (REP2-002).

3.42 As discussed with the Applicant, please amend the wording at paragraphs. 1.3.8 and 4.9.4 to indicate that WSCC will retain a specific and limited involvement in the Project post-consent, in relation to archaeological archives and public outreach only, as these matters will be best overseen at a county level.

Sampling strategies

- 3.43 The inclusion of an indicative range of trial trench sample size is welcomed. However, a 5% sample should be the baseline sampling strategy, and the starting point for the development of bespoke sampling strategies within the SSWSIs. Site-specific departures from this 5% sample, in either direction, will require clear justification and the agreement of the relevant planning authority. This is in line with the *Sussex Archaeological Standards 2019* which state that 'as a 'rule of thumb' it will be expected that the trench sample size will be not less than 5% of the development site.' (Sussex Archaeological Standards 2019, p. 2). See Table 1 for suggested wording.
- 3.44 Trench sample size could be lowered to as little as 2% in areas where low archaeological potential can be predicted with high levels of confidence on the basis of, for e.g., known prior disturbance, historic land use and negative results of non-intrusive surveys. Trench sample size could increase to up to 10% in areas where high archaeological potential can be predicted with high levels of confidence on the basis of, for example, the recorded archaeological or historic environment context and the results of non-intrusive surveys.
- 3.45 The provision of a contingency sampling percentage is welcomed. The wording should specify provision of a contingency in the event that initial trial trenching results indicate poor correlation between geophysical survey results and identified archaeological features. Particularly where trenching identifies archaeological features not picked up by the geophysical survey. As this would indicate that geophysical survey cannot be relied upon in this specific area as an accurate predictor of archaeological potential, and thus additional evaluation may be required.

Other amendments

- 3.46 WSCC is pleased to see a number of updates to the OOWSI which include the inclusion of the latest geophysical survey results and the addition of Palaeolithic research aims.
- 3.47 Clarification that the precise impacts and depths of individual trenchless crossings will be confirmed at the detailed design stage is welcomed.
- 3.48 Amendments to the wording of mitigation methodologies, including investigation of dry valley deposits, is welcomed.
- 3.49 The selective 100% sampling of certain features during evaluation stage (paragraph 6.21) is welcomed.

Avoidance

- 3.50 The addition of the section on Avoidance (paragraphs 4.4.8 – 4.4.12 and Appendix B, Protocol for the discovery of archaeological remains) is welcomed. It makes the process for assessing the significance of identified remains, and identifying the need for preservation in situ of high significance remains, much clearer. The graphic in Appendix B (page B2) depicts this process in a clear and concise manner.

- 3.51 Commitment to the active early consideration of the avoidance pathways from evaluation stage is a positive measure.
- 3.52 The protocol still does not provide a guarantee that in the event that high significance remains are identified, it will be possible to secure their preservation.
- 3.53 By the nature of the process, this solution is contingent upon engineering constraints and will rely on the feasibility of design solutions proposed by the Principal Contractor (para. 4.4.10). These will also be contingent upon archaeological factors (including the location, type, extent, depth etc of any such archaeological remains). As there has not yet been field evaluation, these factors remain unknown.
- 3.54 WSCC therefore welcomes the protocol and the additional assurance it provides in terms of methodological processes for significant remains, and in ensuring chosen mitigation pathways will be proportionate and appropriate to the significance of the assets in question. But WSCC considers that the preservation in situ of high significance archaeological remains can still not be assured due to the reliance on many unknown variables.

Archives

- 3.55 Paragraph 4.9.2: the addition of this commitment is very much welcomed by WSCC. It will help ensure that the archaeological archiving obligations of the Project can be met and appropriate archive provision for the Project archive can be delivered. However, as discussed at the meeting with the Applicant on 10th May 2024, further details should be provided within this section in order to secure the delivery of archaeological archive requirements for the Project, including proposals to increase archives capacity and provision at Worthing Museum. Given the potential scope and scale of discoveries, this is in part to reduce the impact of the Project on the collecting infrastructure of the recognised archive repository, which operates as a charity.
- 3.56 Therefore, requested amendments to the OOWSI (see Table 1 for suggested wording) are;
- Specific reference to provision of additional shelving for the receiving museum;
 - Specific reference to the provision of a Project-specific archives documentation officer for the receiving museum; and
 - Commitment to ringfenced budget for archaeological archive deposition fees.

Education and Outreach

- 3.57 Minor amendments to Section 7 are required to ensure that the scope of the public outreach and education programme set out at a high level within the OOWSI is in proportion to the scale of the Project and the anticipated degree of public interest. See Table 1 for suggested wording.

Treasure acquisition budget

- 3.58 As per WSCC's previous responses, OOWSI should be amended to include a protocol or provision in the event of the discovery of archaeological finds which fall under the Treasure Act 1996. See Table 1 for suggested wording.
- 3.59 Every effort should be made to ensure that any treasure is donated to or acquired by the relevant museum and does not end up in private ownership. This would ensure that treasure objects are held in a recognised public repository and be made available for ongoing exhibition and research as part of the wider project archive. This in turn will contribute to fulfilment of the Project's outreach and education obligations.
- 3.60 In the first instance, the Applicant should make every effort to encourage the donation of the treasure by the finders/landowner to the appropriate museum.
- 3.61 In the event that donation cannot be facilitated, where possible the Applicant should provide a budget for, or contribute towards, the acquisition of Treasure items by the appropriate museum. This will remove or ease a burden on the museum to fundraise for the purchase of treasure items, given their status as a charitable trust.
- 3.62 The amount a museum must fundraise in order to acquire an object valued as Treasure will be equivalent to the value of the reward for finders/landowners, as determined by the Treasure Valuation Committee.

Additional archaeological surveys

- 3.63 The Project has predicted major adverse residual effects on multiple archaeological elements of a nationally significant and highly sensitive Neolithic and prehistoric landscape.
- 3.64 Due to the highest sensitivity of the landscape and archaeological features in question, industry-standard mitigation practices may not be sufficient to mitigate the harm, even given the non-standard evaluation methodologies proposed for this area within the OOWSI (OOWSI Figure 4: Potential areas of fieldwalking and test pitting).
- 3.65 Additional non-intrusive (geophysical) surveys outside of the immediate footprint of construction impacts should therefore also be considered, in order to enhance the understanding and knowledge of this landscape and balance the anticipated harm to the historic environment with wider opportunities to enhance understanding of this nationally significant South Downs prehistoric mining landscape. Such surveys would also contribute towards public benefit outcomes by advancing collective understanding of these nationally significant early Neolithic monuments and of prehistoric industrial activity and processes.
- 3.66 Surveys should be considered both within and outside the Order Limits, potentially focussing on the nationally significant but relatively poorly understood/sparsely investigated scheduled Neolithic flint mining sites at Harrow Hill or Blackpatch.

- 3.67 WSCC suggests geophysical magnetometry survey of the chosen monument/s, followed by additional detailed/targeted Ground Penetrating Radar (GPR) survey, focussing on smaller, defined areas of interest.
- 3.68 The OOWSI should be amended to include provision for additional non-intrusive archaeological surveys where appropriate. See Table 1 for suggested wording.

Table 1: Detailed comments on OOWSI (requested changes are in green)

| Para. | Suggested Amendment |
|-------|--|
| 1.3.8 | <p>The curatorial responsibility for the onshore historic environment of Rampion 2 post-consent resides with the relevant local planning authority for each stage of scheme, in this case the district councils and SDNPA as listed in paragraph 1.2.8. The agreement of this Outline Onshore WSI, archaeological archives and public outreach activities is with the WSCC Archaeologist, with advice sought from Historic England (South East Regional Advisor and Science Advisor) and SDNPA.</p> |
| 4.5.7 | <p>The areas within the DCO Limits which will potentially be subject to evaluation trenching are shown in Figure 3: Potential areas of proposed archaeological trial trenching. Within these areas, the detailed location and extent of evaluation trenching will be proportionate to the potential and significance of the archaeological interests and will be determined on the basis of desk study and survey information and in consultation with the Archaeological Curator(s). It is anticipated that areas identified for evaluation trenching will be subject to a 2% to 5% trench sample size. This will be confirmed in the SSWSIs. Trench sample size may reduce to a minimum of 2% in areas where low archaeological potential and/or known prior ground disturbance can be clearly demonstrated. Trench sample size may increase to a maximum of 10% in areas where high archaeological potential or significance is predicted.</p> <p>The SSWSIs , which will also include any provision for a contingency to increase trenching where necessary to sufficiently characterise archaeological remains, or in the event that initial trial trenching results indicate poor correlation between geophysical survey results and identified archaeological features in that area.</p> |
| 4.9.2 | <p>The Archaeological Contractor will specify the receiving museum, and confirm that arrangements for receipt of archaeological material, and project archives, have been agreed before the commencement of fieldwork. This will include identification of existing capacity for storage of archaeological material at the receiving museum and any arrangements required to be made between the Applicant and the receiving museum to expand that capacity to accommodate finds arising in connection with the authorised project including any necessary contributions from the Applicant towards the same. Given the scale of the project and anticipated size of the archaeological</p> |

| Para. | Suggested Amendment |
|--|--|
| | <p>archive, it is anticipated that contributions from the Applicant may be required by the receiving museum towards:</p> <ul style="list-style-type: none"> • Shelving units in order to ensure physical storage capacity can meet the anticipated requirements of the Project; and • A designated documentation officer, to ensure sufficient staff capacity to document the Project archive. <p>Funds for the archaeological archive deposition fees will be ringfenced to ensure archiving obligations can be fulfilled.</p> |
| 4.9.4 | <p>The WSCC Archaeologist and the relevant local authority archaeological curators will require confirmation that the archive has been submitted in accordance with the SSWSI.</p> |
| 7.1.2 | <p>A proportionate programme of outreach activities, commensurate to the findings of the archaeological mitigation works, will be provided by RED. The scope of these works will be developed in conjunction with the WSCC archaeologist and the relevant local authority archaeological curators, and will be defined in a method statement, provided to the relevant consultees for their agreement, in advance of the commencement of the archaeological mitigation works.</p> |
| 7.1.3 | <p>The following activities are provisionally suggested as appropriate, proportionate and deliverable methods of providing public outreach:</p> <ul style="list-style-type: none"> • Reporting important discoveries via available social media and/or other channels to a range of audiences; • Plan promoting specific engagement events (e.g., talks, open days etc) at an appropriate phase via available social media and/or other channels; |
| New text addition to 4.7.10 | <p>Treasure acquisition budget</p> <p>In the event of the discovery of archaeological finds which fall under the Treasure Act 1996, every effort should be made to ensure that treasure is donated to or acquired by the relevant museum and are thus made available for ongoing exhibition and research as part of the wider project archive.</p> <p>In the first instance, the Applicant will make every effort to encourage and facilitate the donation of treasure items by the finders/landowner to the appropriate museum.</p> <p>In the event that donation cannot be facilitated, where possible the Applicant will provide a budget for, or contribute towards, the acquisition of Treasure items by the appropriate museum.</p> |
| New text addition to Section 4.4: Overview of evaluation and mitigation strategy | <p>Additional archaeological surveys</p> <p>Dependent upon the results of the evaluation phase, including the non-standard evaluation methods, additional non-intrusive surveys outside of the immediate footprint of construction impacts may be required. The aim of the additional surveys will be to enhance understanding and knowledge of the nationally significant South Downs prehistoric mining landscape. Surveys should be considered both within and outside the Order Limits, potentially focussing on enhancing knowledge of the relatively poorly understood and sparsely investigated scheduled Neolithic flint mining sites at Harrow Hill or Blackpatch.</p> |

| Para. | Suggested Amendment |
|-------|--|
| | <p data-bbox="392 239 1434 376">Additional surveys might comprise geophysical magnetometry survey of the chosen monument/s, followed by additional detailed/targeted Ground Penetrating Radar (GPR) survey, focussing on smaller, defined areas of interest, as appropriate.</p> <p data-bbox="392 416 1369 519">The need for, feasibility, location, extent and methodology of any additional non-intrusive surveys will be agreed with the Archaeological Curators, and will be set out within the SSWSIs.</p> |

Outline Landscape and Ecological Management Plan, Rev B (OLEMP) (REP3-037)

- Changes are welcomed to paragraph 1.2.6 which now requires accordance of the replacement planting strategy identified within the Arboricultural Impact Assessment (AIA) (APP-194). This statement is subject to the removal of the following proposed planting species from the revised AIA proposed for submission in Deadline 5: *Quercus cerris* – Turkey Oak, *Quercus ilex* – Holm Oak and *Quercus x turneri 'Pseudoturneri'* – Turners Oak.
- With regard to Section 2.2 of the OLEMP and the updated Oakendene Substation Indicative Landscape Plan, comments made in Section 3.7 of this response are relevant. Updates on phasing and potential for advanced planting are welcomed, though paragraph 2.2.1 regarding Kent Street is of concern for reasonings stated with regard to the DAS.
- Paragraph 2.5.2 “*All existing vegetation (trees and hedgerows) within the Oakendene West Construction Compound will be retained*”. As a result of revised VRPs, hedgerow loss will occur with the potential for tree loss to occur at all construction compounds within the vicinity of the Oakendene substation area. WSCC believes this statement to be incorrect or misleading and must be revisited by the Applicant.
- Whilst changes are welcomed to paragraph 2.6.7 regarding the use of non-native tree species outlined within the AIA, the wording used promotes ambiguity as to the strategy for proposed tree planting selection.
- Paragraph 4.5.2 notes a significant uplift in the number of hedgerows and treelines affected which is cause for some concern. It is requested that the relevant ES assessments will also be reviewed as appropriate.
- Paragraph 4.5.4 states “*Landscape plans for hedgerow and treeline reinstatement may need to be produced in sensitive areas such as the SDNP and included within the stage specific LEMP*”, suggesting that stage specific LEMPs may not need to produce plans for hedgerow and treeline reinstatement, and if so, only in undefined “*sensitive areas*”. This is very concerning and contrary to what is suggested in Section 2.6 regarding stage specific LEMPs.
- Section 4.9 again provides confidence that the planting strategy within the AIA has been considered with regarding to proposed planting numbers. Further recognition of the ‘Mitigation Principles’ within the AIA should also be included to ensure that replacement trees consider the quality and value of trees proposed for removal and indicatively shown within the AIA.
- Amendments to Section 5 (Monitoring and Management and Adaptive Management) are generally welcomed and provide further clarity for some

concerns previously raised by WSCC. It would be helpful to distinguish between routine inspections to ensure that maintenance tasks, such as watering and weeding, are being undertaken as programmed and to record any remedial works required, and ecological monitoring of habitats to ensure that they achieve the specified target condition. The latter, for example, might involve detailed National Vegetation Classification (NVC) surveys or other condition assessment to assess whether areas of reinstated semi-improved grassland, and coastal and floodplain grazing marsh have achieved their specified target condition. It is requested that this chapter includes separate sections on routine maintenance operations (such as watering and weeding), adaptive management, remedial works (such as re-seeding and replacement planting), routine maintenance inspections (including the recording of any remedial works required), ecological monitoring of habitats (including methods and frequency of visits) and reporting mechanisms (including methods and frequency).

- Section 5 should include further details for translocated notched hedgerows as mentioned above.
- WSCC has concerns that monitoring, management and remedial actions may suffer a break or decline when they are handed over to an OFTO. There were major problems when this happened with the Rampion 1 OWF. Thus, WSCC request that the OLEMP includes handover arrangements to an OFTO for monitoring, management and remedial actions. WSCC had requested this in the WSCC LIR, Sections 11.42 and 11.54 (REP1-054).
- WSCC continue to request that the OLEMP contains a provision for the production of a protocol/procedure which identifies how maintenance, monitoring and management will be reported and submitted to the relevant planning authority, in order to ensure robust monitoring can be undertaken. This should be made and approved in writing by the relevant planning authority.
- Lessons learnt from Rampion 1 OWF identified that such a procedure was necessary due to the scale of landscaping and habitat restoration. This also came at a significant costing to the relevant planning authority for the project (WSCC) though this was funded through a Section 106 agreement. It is advised that funding for the relevant planning authorities is provided so that adequate resourcing is available to ensure monitoring of Rampion 2 can be achieved, given the Projects increased magnitude compared with Rampion 1 OWF.
- WSCC remain concerned with the lack of detail for the implementation, maintenance and aftercare of notched hedgerows which may potentially be translocated using a tree spade (as identified within 5.6.39 and 5.6.40 of the OCoCP). Whilst the mitigating measure is supported by WSCC, without the provision of an outline methodology and practices to be adopted within detailed LEMPs, WSCC are not satisfied that this technique could lead to successful translocated hedgerows. Outline methodology and practices should be inclusive of translocation operations, care and protection whilst within receptor pits, as well as adequate aftercare following final translocation. It also needs to provide confidence this would be possible within areas which are difficult to access for 10 years of maintenance, especially once fields/land is back in usual operational use of the landowner or tenant.

- WSCC continue to request the provision of a tabular schedule of the vegetation removal plans within the stage-specific LEMPs. It is of particular importance to understand which hedgerows will be proposed for notching through translocation, which is currently proposed to be determined during detailed design.
- WSCC still have concerns over how quickly reinstatement will be possible given the exclusion of accesses, haul roads and construction compounds from Commitment C-103 (and based on WSCC experience of Rampion 1 OWF where the large areas of reinstatement were only possible upon full completion of construction activities).

Commitments Register, Rev C (REP3-049)

- Commitment C-19 – There is nothing in the Outline Onshore Construction Method Statement, Section 3, that shows any indication that details of phasing and/or sections, nor reinstatement as soon as practicable. WSCC still have no clarity what a submission under Requirement 10 is likely to look like and how much detail it will provide on construction/restoration phasing within each stage.
- Changes to Commitment C-216 are welcomed and provide more comfort in mitigating impacts on ancient woodland with regard to trenchless crossings.
- WSCC request that Commitment C-5 also mentions the HDD crossings for environmental reasons, such as Climping Beach, Sullington Hill and the ancient woodland sites.
- New Commitment C-292 is welcomed, ensuring that the mitigation hierarchy is applied at detailed design, and that the Ecological Clerk of Works is involved in providing advice to the design engineers at each crossing of sensitive habitats.
- New Commitment C-294, relating to habitat surveys to inform the detailed design process and BNG calculations, is also welcomed.

Outline Noise and Vibration Management Plan (REP3-054)

3.69 In general terms the Outline Noise and Vibration Management Plan (ONVMP) is welcomed. Some additional comments are as follows:

- 3.2.5 – This should also specify consideration will be given to any phasing and duration of activities relative to identified receptors.
- 3.3 Working Hours - WSCC consider that shoulder hours for deliveries in some sensitive locations may not be appropriate (e.g. where there are sensitive receptors proximate that could be affected by HGV noise and reversing alarms)
- Whilst references are made to thresholds, it should be made very clear what specific thresholds/noise limits will apply be for the various key construction activities.
- 3.8.5 – 3.8.6 – It is noted that where there is a change of working method or procedure to that assumed by the ES, a revised noise and vibration assessment will be undertaken, and appropriate mitigation identified in the stage specific NVMP. This is welcomed, however, it is questioned why this commitment is only

detailed under Section 3.8 which relates to 'Applications for consent under Section 61'. This should apply to all activities regardless of whether a Section 61 application is sought.

- Section 4 – It should be made clear that any phasing and duration of activities will also reassessed (as this may change once the programme of works have been finalised).
- Section 5 – No methodology for establishing pre-existing levels of ambient noise is provided, nor for any further assessment required. This should be clarified. There is no reference in this section regarding monitoring of activities associated with the cable route construction, and use of internal hauls routes and accesses.

Technical Note: Construction Access Update Assessment Summary (REP3-055)

3.70 The review of all accesses is welcomed and previous concerns from WSCC regarding increased tree and hedgerow loss has been demonstrated. It provides a useful summary of changes to access locations, design requirements, and vegetation management required to facilitate them. However upon review, concerns remained regarding the overall potential impacts which could still occur to hedgerows, tree lines and woodland. Further detailed comments are provided below:

- Commitment C-224 regarding hedgerow coppicing for visibility splays had not been applied during the review, despite paragraph 1.3.3 suggesting otherwise (WSCC dispute that reducing hedgerows to facilitate abnormal construction access is not typical highway works to manage vegetation for visibility considerations). Therefore, WSCC carried out an exhaustive review of access points with consideration of expected or stated vegetation management. This is presented within Appendix A of this response and states any outstanding concerns which requires further clarification.
- The review of access points demonstrates the following: inaccuracies within VRPs and Appendix A of the OCTMP, unknown permanent and temporary hedgerow loss, lack of recognition of Commitment C-224, unknown suitability of visibility splays, and evaluated suggestions of passing place requirements.
- The updated total lengths of hedgerow, tree line and woodland loss presented in Table 1-2 is a welcomed review, though concerning due to the increase percentage loss of most ecological features presented. WSCC requests a further review of these ecological features based upon a further review of our findings presented in Appendix A.
- Hedgerow clearance at many locations is suggested to be temporary, though it is not clear how this is the case in many examples where new or amended bell-mouths (and their visibility splays) are required for permanent operational use in locations of existing hedgerow and tree line. For these examples, vegetation loss is not considered temporary.
- Whilst the increased loss of hedgerows, tree lines and woodland (including permanent loss) shown in Table 1-2 may not alter the outcomes presented in E.S. Chapter 22: Terrestrial Ecology and Nature Conservation (APP-063), there

will be local ecological impacts which will need to be addressed through appropriate mitigation and compensation.

- Despite comments made under 'Landscape and Visual Commentary' acknowledging that additional vegetation losses would result in new or additional effects on landscape visual receptors, no changes to the outcomes of the assessment provided in Chapter 18 Landscape and Visual impacts are envisaged by the Applicant. This is of serious concern, with no fine-grained review of supporting assessments for individual receptors having been provided to demonstrate the validity of these findings. For example, for the A281 between Cowfold and Henfield, Table 1-28 of Appendix 18.4: Visual assessment (APP-170) identifies the magnitude of change as Negligible-Zero and level of effect as Minor/Negligible (based on woodland being retained and use of existing accesses). To the contrary, it is now evident that woodland will be lost to the west of the A281 and to the east visibility requirements will result in the loss of 20m of tree line and hedgerow. This would inevitably open up views of the cable route and construction activities in both directions for the full construction period thus resulting in significantly increased magnitude and level of impacts.
- Ultimately, even if the assessment to date has identified significant impacts, any increase in impacts resulting from increased vegetation clearance and traffic management must be presented, acknowledged and suitable mitigation clearly identified (the magnitude of impacts that are significant are still of a variable scale). Chapter 18 and the various supporting assessments of landscape and visual impacts for individual receptors should be updated as appropriate.

4 Engagement with the Applicant on the Proposed Heads of Terms for the Section 106

- 4.1 WSCC and the Applicant have been in discussions regarding the proposed Section 106 Agreement. WSCC have provided commentary on these Heads of Terms and will continue engagement with the Applicant to reach agreement.

5 Applicant's responses to the ExAs First Set of Written Questions

- 5.1 WSCC have provided commentary where considered appropriate, to ExA Q1 responses by the Applicant (REP3-051). These can be found in Appendix B.

Rampion 2 Offshore Wind Farm (Project Reference: EN010117)
Submission at Deadline 4 (3 June 2024)
West Sussex County Council (IP 200445228)

Appendix A - WSCC Review of Access Points and Vegetation Removal

(Accesses with WSCC outstanding concerns are highlighted in orange)

Table 1 Construction access review

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------|---|--|--|----------------------------------|
| a. | A-01 | Construction and Operational | New temporary construction bellmouth required | None | N/A | None |
| b. | A-02 | Light Construction | No accommodation works required – existing access | None | N/A | None |
| c. | A-03 | Light Construction | New temporary construction bellmouth required | None | N/A | None |
| d. | A-04 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|--|---|--|---|
| e. | A-05 | Construction and operational | New temporary construction bellmouth required | H10 – cleared to 20m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: At DCO application the existing field entrance was assumed to be wide enough to enable access. However, access for low loaders is to be taken from south of this point. Vegetation loss is updated based on new swept path analysis.</p> | Proposed clearance of up to 20m of H10 is considered excessive and coppicing should be applied if practicable. Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location. |
| f. | A-06 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------|---|---|--|--|
| g. | A-08 | Light Construction | No accommodation works required – existing access | None (nor obstructing vegetation immediately behind shown in document and Google Street View) | N/A | The Arboricultural Impacts Plans within AIA [APP-194] needs to reflect pruning works required to enable use of access. |
| h. | A-09 | Construction and Operational | No accommodation works required – existing access | None (nor obstructing vegetation immediately behind and surrounding shown in document and Google Street View) | N/A | The Arboricultural Impacts Plans within AIA [APP-194] needs to reflect pruning works required to enable use of access. |
| i. | A-10 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|---|--|--|
| j. | A-11 | Operational | New temporary construction bellmouth required | H27 cleared to 15m in same vicinity of HS8 being coppiced. | N/A | If access is for operational use only, why is a new temporary construction bellmouth required? Uncertain if clearance for H27 is required for this access. Uncertain if HS8 is the same area as H27. |
| k. | A-12 | Construction | New temporary construction bellmouth required | None. | <p>Design Proposal: Banksman support may be required for specific movements if Lyminster Bypass is not open (as this would reduce baseline traffic flows)</p> <p>Description of change: At DCO application, the construction access assumed use of existing gate. Due to the caravan park, this gate could not be used for construction.</p> | The Construction Access Update Assessment Summary [REP3-055] appears to be discussing an alternate access as no hedgerow exists at this access. Should this be mistaken for A-11, it should be noted that this access point is stated as operational only; it remains unclear as to why the caravan park |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------|---|--|--|--|
| | | | | | Therefore, the width of haul road at 6m was added. Further engineering review, and subsequent environmental input, the revised Swept Path Analysis allowed the junction width to be reduced, requiring a loss of 15m of hedgerow and management of hedgerow north and south of this point. Note additional traffic management may be required, such as possible support from a banksmen, due to the reduced junction size. | prevents use of gated existing access. |
| I. | A-13 | Construction and operational | New temporary construction bellmouth required | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------------|---|--|--|--|
| m. | A-14 | Light construction and operational | No accommodation works required – existing access | None | N/A | None |
| n. | A-15 | Construction and operational | New temporary construction bellmouth required | None | N/A | Unsure of the purpose for access as location of A-15 is shown within centre of fields (Figure 7.6.4a of OCTMP). No tree lines or hedgerows are present based on location plan, though the location photograph shown within Appendix A of the OCTMP clearly shows hedgerow to be present. |
| o. | A-16 | Construction and operational | New temporary construction bellmouth required | | | Same comment as A15 applies to this access. It is unclear as to why two accesses are required within such close proximity, if required at all. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|-----------------------|---|--|--|---|
| p. | A-17 | Operational | New temporary construction bellmouth required | None | N/A | None |
| q. | A-18 | Operational | New temporary Construction bellmouth required | HS1 cleared to 20m | N/A | None |
| r. | A-20 | Light construction | No accommodation works required – existing access | None | N/A | None |
| s. | A-21 | Construction | New temporary construction bellmouth required | None | Design Proposal: Access design to be confirmed. Junction shared with National Highways on 29th February 2024 for review, which included environmental mitigation. An environmental assessment will be completed once this | It is anticipated that design can avoid the loss of maturing trees within tree line W7 currently shown for retention. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|---|--|--|
| | | | | | design has been confirmed. Description of change: n/a | |
| t. | A-22 | Construction | New temporary construction bellmouth required | | Design Proposal: Access design to be confirmed. Junction shared with National Highways on 29th February 2024 for review, which included environmental mitigation. An environmental assessment will be completed once this design has been confirmed. Description of change: n/a | It is anticipated that design can avoid the loss of category B trees T1154 and T1156 within tree line W12. |
| u. | A-23 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------------|---|--|--|----------------------------------|
| v. | A-24 | Light construction and operational | No accommodation works required – existing access | None | N/A | None |
| w. | A-25 | Light Construction and Operational | No accommodation works required – existing access | None | N/A | None |
| x. | A-26 | Construction and operational | No accommodation works required – existing access | None | N/A | None |
| y. | A-27 | Operational | No accommodation works required – existing access | None | N/A | None |
| z. | A-28 | Construction | No accommodation works required – existing access | None | N/A | None |
| aa. | A-29 | Operational | No accommodation works required – | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|---|--|--|
| | | | existing access | | | |
| bb. | A-30 | Operational | No accommodation works required – existing access | None | N/A | None |
| cc. | A-31 | Operational | No accommodation works required – existing access | None | N/A | None |
| dd. | A-32 | Operational | No accommodation works required – existing access | None | N/A | None |
| ee. | A-33 | Construction | New temporary construction bellmouth required | H206a cleared to 25m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Design incorporating Swept path analysis requires additional</p> | Proposed clearance of up to 25m of H206a is considered excessive and coppicing should be applied if practicable. Location photograph within Appendix A of OCTMP is incorrect. Submission of visibility splays and swept path |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|-----------------------|---|--|--|---|
| | | | | | hedgerow loss, although use of banksmen for some movements reduces this requirement. Visibility splays achieved via vegetation management. | analysis are requested to understand and justify proposal at this location. |
| ff. | A-34 | Operational | No accommodation works required – existing access | None | N/A | None |
| gg. | A-35 | Construction | New temporary construction bellmouth required | None | N/A | None |
| hh. | A-36 | Operational | No accommodation works required – existing access | None | N/A | None |
| ii. | A-37 | Light Construction | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|--|--|
| jj. | A-38 | Light Construction | No accommodation works required – existing access | None | N/A | None |
| kk. | A-39 | Construction and operational | <p>New temporary construction bellmouth required.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> <p>Appropriate signage will be put in place to warn drivers of construction traffic.</p> | W489 cleared to 20m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Access design and swept path analysis shows requirement of removal of 20m of tree line to gain access to compound. Visibility splays achieved through management of existing vegetation. Access moved approximately 95m to the east to minimise vegetation losses. Note additional traffic</p> | <p>Presuming a temporary speed restriction to 40mph is approved, clearance of only 20m of tree line appears quite minimal.</p> <p>Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location. As the access is for operational purposes, it is not known if a 20m tree line clearance acceptable once temporary speed restrictions are removed.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|---|---|
| | | | Banksman may be required to support specific turning movements. | | management, such as the temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements. | |
| II. | A-40 | Construction and Operational | <p>No accommodation works required – existing access.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> <p>Appropriate signage will be put in place to warn drivers of</p> | H167 cleared to 12m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis suggests vegetation removal necessary for access of largest vehicles. Visibility splays achieved through vegetation management. Note additional traffic management, such as</p> | <p>It is unclear as to why coppicing / reduction in height of H167 could not achieve required visibility splays.</p> <p>Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location.</p> <p>As the access is for operational purposes, it is not known if a 12m hedgerow clearance is</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|---|--|
| | | | <p>construction traffic.</p> <p>Banksman may be required to support specific turning movements.</p> | | <p>possible support from a banksman and temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements.</p> | <p>acceptable once temporary speed restrictions are removed.</p> |
| mm. | A-41 | Construction and Operational | <p>No accommodation works required – existing access.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> <p>Appropriate signage will be put in place to</p> | H185 cleared to 10m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis suggests vegetation removal necessary for access of largest vehicles. Visibility splays achieved through vegetation management. Note additional traffic</p> | |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|--|---|
| | | | <p>warn drivers of construction traffic.</p> <p>Banksman may be required to support specific turning movements.</p> | | <p>management, such as possible support from a banksman and temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements.</p> | |
| nn. | A-42 | Construction and Operational | <p>New temporary construction bellmouth required.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> <p>Appropriate signage will be</p> | H197 cleared to 15m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis showed loss of Category A ash if using existing access point to timber yard, plus potential loss of hedgerow alongside of existing track. Access moved</p> | <p>NOTE: T1020 is a category B tree, not category A. Retention of tree welcomed.</p> <p>As the access is for operational purposes, it is not clear is a 15m hedgerow clearance will acceptable once temporary speed restrictions are removed.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-----------------|------------------------------|--|---|---|--|
| | | | <p>put in place to warn drivers of construction traffic.</p> <p>Banksman may be required to support specific turning movements.</p> | | <p>approximately 15m to the east to minimise losses and retain category A tree. Note additional traffic management, such as possible support from a banksmen and temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements.</p> | <p>It is not clear is this hedgerow clearance is a permanent loss.</p> |
| oo. | A-43, 43a & 43b | Construction and operational | <p>No accommodation works required – existing access.</p> <p>The access tracks leading from the A283 at are narrow. Passing places should be</p> | H201a assumed cleared to 6m. | <p>43a only- Design Proposal: Typical bellmouth design overlay applied to junction position.</p> <p>Description of change: Additional vegetation losses predicted to allow access of largest vehicles.</p> | <p>NOTE: H201a is not labelled on VRP Figure 7.2.1g.</p> <p>Pruning of adjacent woodland W1149 to east of access A-43 expected to facilitate access. Arboricultural Impacts Plans within AIA [APP-</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|---|---|---|
| | | | <p>considered on the access tracks to enable two vehicles to pass. Alternately traffic management measures may be required to avoid conflicting movements.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use. Appropriate signage will be put in place to warn drivers of construction traffic. Banksman</p> | | | <p>194] indicates this woodland has a TPO (ref. W39 within AIA) with no pruning identified.</p> <p>A-43b does not appear suitable for construction access.</p> <p>Due to importance and value of adjacent trees, hedgerows and woodland features, and the narrow lane, it is not known how accommodation works such as 'passing places' are achievable without additional vegetation loss over that identified within VRPs.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------------|---|--|--|--|
| | | | may be required to support specific turning movements. | | | |
| pp. | A-44 | Operational | No accommodation works required – existing access | None | N/A | None |
| qq. | A-45 | Operational | No accommodation works required – existing access | None | N/A | None |
| rr. | A-46 | Light Construction and Operational | No accommodation works required – existing access | H246 notched 14m | N/A | It is not clear why notching of H246 is required, noting that the OCoCP clearly indicates notching to be a methodology only applied on the cable corridor. |
| ss. | A-47 | Construction and operational | New temporary construction bellmouth required. | H613 cleared to 5m | Design Proposal: Bellmouth design with checks on swept path analysis for expected | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|--|---------------------------|
| | | | <p>Appropriate signage will be put in place to warn drivers of construction traffic.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> | | <p>vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests vegetation loss is necessary to enable access by expected vehicles. Note additional traffic management, such as possible support from a banksmen, is to minimise vegetation losses as far as possible by avoiding the need for additional highway widening.</p> | |
| tt. | A-48 | Construction and operational | No accommodation works required – existing access | H269 cleared to 20m | N/A | |
| uu. | A-49 | Light Construction | No accommodation | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|---------------------|------------------------------|--|---|---|---|
| | | and Operational | works required – existing access | | | |
| vv. | A-50, A-50a & A-50b | Construction and Operational | No accommodation works required – existing access | H309 cleared to 10m | <p>A-50a only- Design Proposal: Typical bellmouth design overlay applied to junction position.</p> <p>Description of change: 10m loss of hedgerow to widen existing access point.</p> | <p>Existing gated access point for A-50a is shown outside of the DCO Limits.</p> <p>H307, which enables access to the cable route from A-50a, is shown to be retained and appears to be a continuous without a break. This requires review, including DCO Schedule 13.</p> |
| ww. | A-51 | Operational | No accommodation works required – existing access | None | N/A | None |
| xx. | A-52 | Construction and operational | No accommodation | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|---|--|---|
| | | | works required – existing access | | | |
| yy. | A-53 | Construction | No accommodation works required – existing access | H380 notched 6m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests vegetation loss is necessary to enable access by expected vehicles. Low loaders excluded from using this access to reduce potential vegetation losses.</p> | <p>NOTE: Construction Access Update Assessment Summary [REP3-055] states a loss of 6m.</p> <p>It is not clear why notching of H380 is required, noting that the OCoCP clearly indicates notching to be a methodology only applied on the cable corridor.</p> |
| zz. | A-54 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|--------------------------------|--|---|---|---|
| aaa. | A-55 | Operational | No accommodation works required – existing access | None | N/A | None |
| bbb. | A-56 | Constructional and operational | <p>No accommodation works required – existing access.</p> <p>The access tracks leading from the B2135 at are narrow. Passing places should be considered on the access tracks to enable two vehicles to pass. Alternately traffic management measures may be required to avoid</p> | W503 cleared to 10m, accounting for a stated 0.02ha of woodland loss. | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests woodland loss is necessary to enable access by expected vehicles. Note the Access constrained by ancient woodland to north of Greentree Lane. Note additional traffic management, such as possible support from a</p> | WSCC require further information regarding the need for this access. There is an existing access T55, which could potentially facilitate construction access to the area of TC without additional vegetation loss than currently stated. Likewise, it is not understood why the TC cannot be carried out from east of the A281 accessed by A-57 also a construction access required to continue the cable corridor and facilitate access from |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|---|---|--|--|
| | | | <p>conflicting movements.</p> <p>Temporary 40mph speed limit to be applied whilst construction access is in use.</p> <p>Appropriate signage will be put in place to warn drivers of construction traffic.</p> | | <p>banksmen and temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements.</p> | <p>south due to highway width constraints within Cowfold. Thus, removing the increased loss of woodland and applying a mitigation hierarchy through avoidance.</p> <p>Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location.</p> <p>As the access is for operational purposes, it is not known if a 10m tree line clearance is acceptable once temporary speed restrictions are removed.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|---|---|--|---|
| ccc. | A-57 | Construction and operational | <p>No accommodation works required – existing access. The access tracks leading from the B2135 at are narrow. Passing places should be considered on the access tracks to enable two vehicles to pass. Alternately traffic management measures may be required to avoid conflicting movements.</p> <p>Temporary 40mph speed limit to be applied</p> | <p>W367 cleared to 20m. H406 cleared to 20m.</p> | <p>Design Proposal: Temporary speed limit reduction (40mph). Banksman may be required to support specific movements. Highway width constraints within Cowfold will require articulated HGVs and low loaders to access junction from the south via A281, A2037 and A283.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests vegetation loss is necessary to enable access by expected vehicles. Note additional traffic management, such as possible support from a banksmen and temporary</p> | <p>The amount of vegetation removal seems excessive for the description of change. Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|-----------------------|---|--|--|----------------------------------|
| | | | whilst construction access is in use. Appropriate signage will be put in place to warn drivers of construction traffic. | | speed limit reduction, is to minimise vegetation losses as far as possible by reducing swept path and visibility splay requirements. | |
| ddd. | A-58 | Operational | No accommodation works required – existing access | None | N/A | None |
| eee. | A-59 | Operational | No accommodation works required – existing access | None | N/A | None |
| fff. | A-60 | Operational | No accommodation works required – existing access | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|--|---|---|---|
| ggg. | A-61 | Construction and operational | New temporary construction bellmouth required | H505 cleared to 20m | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests vegetation loss is necessary to enable access by expected vehicles. Note additional traffic management, such as possible support from a banksmen and a detailed traffic management strategy, helps to minimise vegetation losses as far as possible by reducing the requirement for further highway widening.</p> | The Construction Access Update Assessment Summary [REP3-055] also suggests a loss of trees, though the VRP Figure 7.2.1k (C) suggests the treeline is retained. The final location of this access point should consider retaining trees of better quality than simply removing those from directly adjacent the existing gate, such as those 10m south of the gate. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|--|--|--|--|
| hhh. | A-62 | Construction | No accommodation works required – existing access | H612 cleared to 15m (note 2x oak trees to be retained by crown lifting and root protection measures) | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis and junction design updated to enable safe access and operation of compound and additional businesses on Oakdene Industrial Estate. Suggests additional vegetation loss is necessary. Note alternations to existing access road, helps to minimise vegetation losses as far as possible.</p> | <p>Access is assumed between two trees, T195 (category A) and T196 (category B). Further demonstration that these trees can be retained without adverse damage from significant pruning or root compaction from expected construction activity.</p> <p>WSCC would like further understanding as to why access cannot be achieved using the location of the existing gated access for the field and surrounding open areas with less environmental constraints.</p> |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|--|---|---|--|
| iii. | A-63 | Construction and operational | New temporary construction bellmouth required | H520b lost permanently (100m including hedgerow trees) | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis and junction design to enable safe access and operation of compound shows additional vegetation losses necessary. Note additional traffic management, such as temporary speed limit reduction, is to minimise vegetation losses as far as possible by reducing visibility splay requirements.</p> | WSCC remain of the opinion that T280 can be retained to facilitate this access and will await submission of revised outline arboricultural impact assessment to confirm worst-case scenario. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|------------------------------|--|---|--|--|
| jjj. | A-64 | Construction and operational | No accommodation works required – existing access | H505 cleared to 10m (now totalling 30m clearance) | <p>Design Proposal: Bellmouth design with checks on swept path analysis for expected vehicles and horizontal visibility splays.</p> <p>Description of change: Swept path analysis shows existing entrance is not wide enough and suggests vegetation loss is necessary to enable access by expected vehicles. Note additional traffic management, such as possible support from a banksman and a detailed traffic management strategy, is to minimise vegetation losses as far as possible by reducing the requirement for further highway widening.</p> | It is unclear as to why hedgerow clearance and tree loss is required. Submission of visibility splays and swept path analysis are requested to understand and justify proposal at this location. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------------|---|--|--|--|
| kkk. | A-65 | Operational | New temporary construction bellmouth required | None | N/A | Appendix A or the OCoCP shows A-65 from a gated access leading to fields to east outside of the DCO Limits. |
| lll. | A-66 | Light Construction and Operational | New temporary construction bellmouth required. Temporary 40mph speed limit to be applied on Wineham Lane whilst construction access is in use. Appropriate signage will be put in place to warn drivers of construction traffic. | None shown, though roadside hedge present | N/A | Access shown in Appendix A of the OCTMP requires loss of a hedgerow which has not been identified on VRP. It is assumed the access is the existing driveway opposite as it is not clear why both A-66 and A-67 would be required providing access into the same field to east. If the access is proposed through the hedgerow, any vegetation loss here would be permanent if used operationally. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|------------------------------|--|---|--|---|
| | | | | | | As operational access can be made from existing gated points from Bolney Station, it is not clear why this access would be required. |
| mmm | A-67 | Construction and operational | New temporary construction bellmouth required. Temporary 40mph speed limit to be applied on Wineham Lane whilst construction access is in use. Appropriate signage will be put in place to warn drivers of construction traffic. | None shown, though existing planting present to mitigate damage from Rampion 1. | N/A | VRP fails to recognise existing tree planting which is required in order to mitigate the previous Rampion 1 OWF access. This planting needs to be reflected as an existing tree line as a baseline, it requires recognition within VRPs to ensure any loss accounted and mitigated for. Any vegetation loss here would be permanent if used operationally. |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|------------|-------------|----------------|---|---|---|--|
| | | | | | | <p>As operational access can be made from existing gated points from Bolney Station, it is not clear why this access is required.</p> <p>The OCTMP recognises this access as existing, though this is not the case for reasoning stated above.</p> |
| nnn. | A-68 | Construction | <p>No accommodation works required – existing access.</p> <p>Temporary 40mph speed limit to be applied on Wineham Lane whilst</p> | None | N/A | None |

| Table ref. | Access ref. | Type of access | Accommodation works (as stated within Appendix A of the Outline Construction Traffic Management Plan (OCoCP) [REP3-030]) | Proposed works - Vegetation Retention Plan (VRP) [REP3-026] | Design Proposal and Change Description - Construction Access Update Assessment Summary [REP3-055] | WSCC Outstanding concerns |
|-------------------|--------------------|-----------------------|---|--|--|----------------------------------|
| | | | <p>construction access is in use.</p> <p>Appropriate signage will be put in place to warn drivers of construction traffic.</p> | | | |
| ooo. | A-69 | Operational | No accommodation works required – existing access | None | N/A | None |

Table 1. WSCC commentary on the Applicants responses to ExAs first set of Written Questions (REP3-051)

| Reference | Question to: | WSCC Response at Deadline 4 |
|---------------------|--|--|
| DCO | | |
| DCO 1.31 | The Applicant | WSCC welcomes the addition of the Commitments Register as a certified document. However, consideration could also be given to a clause in the DCO [REP3-003] under Schedule 14 'Procedure for discharge of certain approvals' that specifies <i>"Where an application is made to the relevant planning authority, a highway authority, LLFA for any consent, agreement or approval required under any of the provisions of this Order such application shall, where appropriate, identify and demonstrate compliance with the relevant commitments as set out in Commitment Register"</i> . |
| Biodiversity | | |
| BD 1.3 | The Applicant | <p>a) No further comments. b) No further comments. c) As stated in WSCC Response to Examining Authority First Set of Written Questions (REP3-073) question DCO 1.19, WSCC is concerned over the mechanism to ensure that BNG is implemented on the ground and within the expected timescales, and as such has proposed more robust wording for Requirement 14 (Biodiversity Net Gain).</p> <p>In response to the question ('Explain how off-site BNG would be secured'), the Applicant simply refers to a Section 106 agreement between the landowner and the relevant planning authority or a conservation covenant. Surprisingly, neither of these mechanisms are mentioned in Section 5.4 (Securing Biodiversity Net Gain) of Appendix 22.15, BNG Information Rev. B, [REP3-019].</p> d) No further comments. |
| BD 1.8 | Natural England SNDPA West Sussex CC | The delivery prior to commencement of construction of 70% of the total BNG units (i.e. those required in compensation, plus a 10% uplift from the baseline) seems a reasonable approach. |

| Reference | Question to: | WSCC Response at Deadline 4 |
|-----------------------------|------------------|--|
| BD 1.9 | The Applicant | <p>a) No further comments.</p> <p>b) It would be helpful if the Applicant could provide outline details on the proposed content of the stage specific BNG strategies.</p> <p>c) The response by the Applicant that habitat created at Oakendene Substation <i>'has potential to be accounted for as BNG subject to landowner agreement'</i> is of concern. Should it not be considered as BNG, will it still be managed and monitored for a minimum of 30 years?</p> |
| Design | | |
| DE 1.3 | The Applicant | <p>The general design principles are positive in regard to minimising impacts of Work No. 16 to Oakendene Manor via changes to its setting and loss of historic parkland.</p> <p>The updated Indicative Landscape Plan (AS-003) is welcomed, and the information on phasing of tree planting along the western edge of the substation provided by the inclusion of the Indicative Planting Phasing Plan provides some reassurance.</p> <p>The revisions to the historic environment design principles section within the DAS are welcomed, especially the advance planting of native parkland trees. However, the wording of the Historic Environment design principles (now HE1 – HE4) remains somewhat non-committal, with wording such as 'seek to reduce' remaining unchanged since the previous version of the DAS.</p> |
| Historic Environment | | |
| HE 1.9 | Historic England | <p>The Applicant confirms that <i>'the priority is for avoidance of impacts to archaeological remains of national significance ('retention in situ'), followed by 'preservation by record' where impacts are unavoidable'</i>. WSCC agrees with this hierarchy. Amended Commitment C-225 sets out some helpful details and examples of possible design and engineering solutions for avoiding archaeology of high significance. WSCC finds that C-225 does not provide sufficient guarantee that in the event that high significance remains are identified, it will</p> |

| Reference | Question to: | WSCC Response at Deadline 4 |
|-----------|--------------|--|
| | | <p>be possibly to secure their preservation. The wording of C-225 remains somewhat vague, with phrases such as '<i>consideration will be made for engineering solutions</i>' and '<i>Where impacts are not avoidable</i>' conveying a lack of certainty and commitment to delivery of avoidance.</p> <p>The addition of specific references to C-79, C-80 and C-225 within the Outline Onshore Written Scheme of Investigation (OOWSI; [APP-231]), which is secured by Schedule 1, Part 3, Requirement 19 of the Draft Development Consent Order [REP2-002]), and reference to C-79 and C-225 within the Outline Code of Construction Practice (OCoCP; REP3-025), which is secured by Schedule 1, Part 3, Requirement 22 of the dDCO, is welcomed.</p> <p>The addition to the OOWSI of the section on avoidance ([APP-231] paras. 4.4.8 – 4.4.12 and Appendix B) is greatly welcomed. It makes the process for assessing the significance of identified remains, and identifying the need for preservation in situ of high significance remains, much clearer. The active consideration of the avoidance pathways from evaluation stage is a positive measure.</p> <p>However, the protocol still does not provide a guarantee that in the event that high significance remains are identified, it will be possible to secure their preservation. By the nature of the process, this solution is contingent upon engineering constraints and will rely on the feasibility of design solutions proposed by the Principal Contractor ([APP-231] para. 4.4.10). These will also be contingent upon archaeological factors (including the location, type, extent, depth etc of any such archaeological remains). As there has been virtually no field evaluation to date, these factors remain unknown.</p> <p>WSCC therefore considers that the preservation by record of high significance archaeological remains can still not be assured due to the reliance on many unknown variables. This is especially true within the area of prehistoric downland, where there is a high potential for specific classes of archaeology</p> |

| Reference | Question to: | WSCC Response at Deadline 4 |
|-----------------|--|--|
| | | <p>which would be of national significance, but also likely to be especially problematic to preserve in situ. For example, Neolithic flint mines (potentially spatially extensive and incredibly artefact-rich) and associated lithic processing and Neolithic settlement evidence (potentially spatially extensive extremely ephemeral).</p> <p>WSCC is not, therefore, able to agree with the Applicant's statement that updated C-225 and Requirement 19, Part (3) of the Draft Development Consent Order [REP2-002] sufficiently 'provides for mitigation by design through engineering responses'.</p> |
| HE 1.10 | The Applicant | <p>WSCC concurs with Historic England's concerns regarding this issue, as per WSCC's LIR ([REP3-073] Appendix D, Table 1). It is accepted that archaeological mitigation in the form of preservation by record can partially offset the permanent harm or loss of significance caused by construction effects. However, WSCC disagrees with the degree to which proposed mitigation in the form of archaeological excavation ('preservation by record') has been predicted to reduce the residual significance of effect on heritage assets. The assertion within the ES chapter [PEPD-020] that prior recording will reduce the magnitude of negative change for some assets from high to low is contested.</p> |
| Minerals | | |
| MI 1.1 | <p>West Sussex County Council</p> <p>South Downs National Park Authority</p> | <p>WSCC responded to MI 1.1 at Deadline 3 [REP3-073], setting out concerns, as the Mineral Planning Authority, on matters related to the safeguarding of minerals.</p> <p>WSCC met with the Applicant following Deadline 3 to discuss the matters of concern and seek to address these. The key issues of concern, that have been set out to the Applicant, are that;</p> <ul style="list-style-type: none"> • Soft sand is the primary mineral of concern, however other safeguarded minerals must also be given due consideration. • Having read the Applicants response to MI1.1, WSCC recognise that a full details Mineral Resource Assessment may be difficult to complete and |

| Reference | Question to: | WSCC Response at Deadline 4 |
|---------------------------------------|---------------|---|
| | | <p>note the need to be proportionate, but matters that require clarification or updates remain.</p> <ul style="list-style-type: none"> • Clarity from the Applicant on the way in which any encountered mineral resource will be managed, and appropriately secured, noting that minerals resources are different to waste material, which the MMP focuses on. The MMP should be updated to reflect how mineral resources will be managed. • Outline provisions of the MMP, regarding mineral safeguarding, should be set out in a revised version of the OCoCP • The Applicant should demonstrate that it meets the requirements of Policy M9 of the West Sussex Joint Minerals Local Plan (JMLP) (July 2018, Partial Review March 2021). The Applicant has not provided sufficient response on why it is not practical or environmentally feasible deliver full scale prior extraction, and the extent to which incidental extraction/reuse of minerals within the Project may be possible. <p>The Applicant indicated during ISH2 (Item 4d) that further detail will be submitted in to the Examination at Deadline 4. Related to this is Action 30 [EV5-018 - EN010117-001427-ISH2 Action Points.pdf (planninginspectorate.gov.uk)]. WSCC will respond further on matters related to mineral safeguarding when more information is submitted into the Examination.</p> |
| Noise and Vibration | | |
| NV 1.2 | The Applicant | WSCC do not agree with the methodology of only considering PRoW that are ' <i>particularly quiet or important</i> ' (and note no methodology used to determine this has been specified). All PRoW are considered important outdoor leisure areas. Previous concerns raised by WSCC relating to noise impacts on PROW users remain the same. |
| NV 1.4 | The Applicant | No reference to any monitoring of offshore construction noise has been provided in the ONVMP. |
| Seascape, Landscape and Visual | | |

| Reference | Question to: | WSCC Response at Deadline 4 |
|---------------------------|--------------------------------------|---|
| SLV 1.6 | The Applicant | 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. Without any willingness to engage with WSCC regarding further development of offshore design principles which would lead to a lesser environmental impact, there are areas of disagreement with the Applicant on these matters. |
| Traffic and Access | | |
| TA 1.2 | West Sussex CC and National Highways | <p>There doesn't appear to be a response from the Applicant on this matter.</p> <p>WSCC would repeat that there doesn't appear to be any further information in terms of the calculation of construction vehicle movements associated with the proposals. WSCC recognise that there will be some quite detailed calculations undertaken by the Applicant to produce the traffic movement estimates within the various documents.</p> <p>However there still remains ambiguity in terms of what assumptions are being applied with a prime example in 6.1.4. This references estimate being based against '<i>conservative set of assumptions based on best available information</i>', but then '<i>the final arrange of construction works, and precise methods used will be determined during the detailed design stage...these factors will influence the number of vehicle movements</i>'. WSCC consider this matter to remain outstanding.</p> |
| TA 1.3 | The Applicant | The position concerning Abnormal Indivisible Loads and Shoreham Port is noted. As the Applicant states the routing of AILS is controlled by separate legislation through which WSCC will be notified of any forthcoming movements. This matter is therefore dealt with separately. No further action is required. |
| TA 1.4 | The Applicant | The Kent Street traffic management proposals are contained within the Outline Construction Traffic Management Plan Revision D. WSCC has provided comments on this within their Deadline 3 representation. |

| Reference | Question to: | WSCC Response at Deadline 4 |
|----------------------------|--|--|
| TA 1.6 | The Applicant | The Michelgrove Lane traffic management proposals are contained within the Outline Construction Traffic Management Plan Revision D. WSCC has provided comments on this within their Deadline 3 representation. |
| TA 1.8 | West Sussex CC | <p data-bbox="842 344 2036 483">There is no response from the Applicant on this point. It is however recognised that the Applicant intends to provide further information for agreed accesses (i.e. construction compounds and the substation) through the examination process.</p> <p data-bbox="842 523 2036 592">A specific point was raised regarding A-24. A-24 has now been confirmed as an operational access only, thereby resolving the point raised previously by WSCC.</p> <p data-bbox="842 632 2036 699">This question is partly addressed with there being further information to be submitted by the Applicant.</p> |
| Terrestrial Ecology | | |
| TE 1.5 | The Applicant Natural England The Environment Agency Horsham DC | Meadows at Cratemans Farm are clearly of nature conservation value, regardless of whether they qualify as lowland meadow priority habitat. It is thus reassuring that semi-improved grassland will be subject to National Vegetation Classification surveys during the detailed design phase, as stated in paragraph 4.6.1 of the OLEMP Rev. B [REP3-037]. These surveys must inform any reinstatement. New Commitment C-294, relating to habitat surveys to inform the detailed design process and BNG calculations, is welcomed. New Commitment C-292 is also welcomed, ensuring that the mitigation hierarchy is applied at detailed design, and that the Ecological Clerk of Works is involved in providing advice to the design engineers at each crossing of sensitive habitats. |
| TE 1.6 | The Applicant | The Woodland Retention Plan, Figure 7.2.2h (B) of the OCoCP [REP3-024], identifies the area of deciduous woodland status within the National Grid Bolney substation as being retained (ref. W3713). This finding is contrary to that stated within the Applicants response, as well as plans shown within inset 45 of the Arboricultural Impacts Plan found within the Arboricultural Impact Assessment [APP-194], as well as what can be achieved within the indicative plan for the AIS extension option without adverse impact (as shown within the Design and Access Statement [REP3-012]). Therefore WSCC remains unsatisfied that the |

| Reference | Question to: | WSCC Response at Deadline 4 |
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| | | impact on deciduous woodland, a priority habitat, are at all clear at this location. |
| TE 1.7 | The Applicant | Whilst welcomed to hear that the Applicant carried out a tree survey prior to determining the substation location and that veteran trees and priority habitats were considered, the Applicants response lacks confidence that assigned tree values in accordance with BS5837:2012 were a consideration for selection of any substation location. The location has a proposed loss of 11 of the 14 'A category' trees identified across the entire DCO Limits. |
| TE 1.8 | The Environment Agency Southern Water | <p>WSCC acknowledges that the Applicant has reduced the working corridor to a 23m width, however, this alone is not recognised as 'exceptional' mitigation. The Applicant has responded suggesting a targeted risk assessment for the construction phase has been carried out for this location, though it would appear this has not assessed trenchless methodologies as a possible option. Southern Water Services have provided a response [REP3-130], which is not dismissive of alternate construction methodologies, subject to a specific Hydrogeological Risk Assessment (HRA).</p> <p>What is not clear is whether Southern Water Services and the Environmental Agency have been presented with other forms of construction methodology as an option at this location, such as trenchless crossing (HDD), alongside a quantifiable risk. This has not been included within the examination documents, therefor WSCC do not feel that an acceptable and proportionate level of mitigation (in context to the scale of the Project) has been provided given the resulting indirect impacts on the two surrounding ancient woodlands by severing connectivity, as well as suitable protection of this important tree line situated within the SDNP.</p> <p>WSCC await further response from the Applicant following a request from the ExA at the ISH (item 4e, 15th May 2024) for further specific details regarding this issue through a post hearing written submission.</p> |
| TE 1.9 | The Applicant | The response is acknowledged, yet vegetation removal plans within the OCoCP [REP3-025] fails to recognise the hedgerow and tree lines being present. |

| Reference | Question to: | WSCC Response at Deadline 4 |
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| TE 1.14 | The Applicant | The revised wording of Commitment C-208 to explicitly include destructive search techniques for reptiles in all areas of suitable habitat affected by construction activities, not just the cable route, is welcomed. |
| TE 1.17 | The Applicant Horsham DC Natural England The Environment Agency | New Commitment C-296 to protect migrating toads in the Cowfold area is welcomed. |
| TE 1.27 | The Applicant | WSCC support the comments provided by Ian Howell from Barton Hyett Associates and acknowledge the Applicant's response. It is not clear if the design principles presented within the Design and Access Statement [REP3-012] would aim to minimise losses to trees within the site as the Applicant is suggesting could happen through micro-siting. |
| TE 1.29 | Natural England | New Commitment C-292 is welcomed. This ensures that the mitigation hierarchy is applied at detailed design, and that the Ecological Clerk of Works is involved in providing advice to the design engineers at each crossing of sensitive habitats. |