

Wiston Estate- Deadline 5 Response

Response to the ExA's Schedule of recommended amendments to the Applicant's draft DCO submitted at Deadline 4 (PD-013)

No.	ExA Proposal	Wiston Estate Response
14.	<p><i>Add the following to Requirement 35: (3) The decommissioning plan shall demonstrate that the onshore cables within the Mineral Safeguarding Area will be removed unless otherwise agreed to in writing by the relevant planning authority</i></p>	<p>We request that this Requirement is amended to require the removal of the onshore cables within the Mineral Safeguarding Area, without the ability for the relevant planning authority to agree that they can remain in place:</p> <p><i>“The decommissioning plan shall demonstrate that the onshore cables within the Mineral Safeguarding Area will be removed unless otherwise agreed to in writing by the relevant planning authority”</i></p> <p>This is due to the importance of the Mineral Safeguarding Area and the need to prevent long-term sterilisation.</p>
15.	<p><i>New Requirement: (41) Works comprising Work No. 10 and Work No.11 must not commence until details of— (a) siting and layout; (b) scale and quantum of development and its uses; (c) existing and proposed finished ground levels; (d) landscaping; (e) access; and (f) external appearance, form and materials for any buildings structures and other infrastructure including boundary treatment; for the temporary construction compound have been submitted to and approved in writing by the relevant planning authority following consultation with the West Sussex County Council and Work No.10 must be carried out in accordance with the approved details.</i></p>	<p>The requirement to produce the overarching site-specific plans for the compounds should form part of the DCO process and should not be a subsequent condition. This is so Interested Parties can fully understand the impact of the proposals. The impact on Wiston Estate and its operations from the construction compounds will be significant.</p>

Response to the ExA's Further Written Questions and requests for information (PD-012)

No.	Wiston Estate Response
<p>LR 2.1 Efforts to Acquire the Land Required for the Proposed Development by Negotiation</p>	<p>We acknowledge that a further meeting has been held with Rampion and Carter Jonas (CJ) on the 28th of May to discuss the proposed Heads of Terms and mineral sterilisation.</p> <p>On the 31st of May Rampion confirmed they will meet the professional fees of the affected tenants to review the draft documents. However, Rampion have not confirmed they will meet affected parties (Wiston Estate and tenants) time in dealing with Rampion matters, which would be usual in a CPO situation.</p> <p>Revised Heads of Terms were received from CJ on 17th June.</p> <p>A report outlining the effect of the cable on the minerals was sent to Rampion on the 18th of June. No response has yet been received.</p> <p>Although the Estate acknowledges that efforts have been made by Rampion to engage and progress the HOT over the last 6 weeks, it remains disappointed with the level of engagement at this late stage in the process. The majority of these discussions should have been had prior to the submission of the DCO application.</p> <p>If Rampion were willing to truly engage on the HOT at the early stage, much of the detail (such as restricting permanent rights to the easement) could have been agreed prior to the DCO application.</p> <p>It is important to note that the affected parties and their advisors have other matters to be dealing with. Many affected parties are running substantial farming business and are coming into the busiest time of year with harvest.</p>
<p>MI 2.1 Mineral Safeguarding</p>	<p>Please refer to our responses on this point in the Estate's Response to the Applicant's Response to Deadline 4 Submissions being submitted separately at this Deadline 5</p>
<p>MI 2.3 Mineral Safeguarding</p>	<p>There remains significant uncertainty about how long the minerals will remain sterilised during the operation of the cable. Rampion are seeking a 99-year easement from the Estate and during that period no mineral extraction will be permitted within the easement or feasible on the severed land.</p> <p>In Paragraph 4.9.29 of Chapter 4 of the ES [APP-045] Rampion states that the onshore cable will be left in-situ upon decommissioning and paragraph 4.8.1 states the operational lifetime of the development is expected to be around 30 years.</p>

	<p>There does not appear to be anything in the draft DCO requiring Rampion to decommission the onshore works within the 30-year timeframe they are referring to.</p> <p>We request that the draft DCO is amended to reflect the 30-year operational lifetime, to provide certainty that the cable will be decommissioned in this time frame and the minerals will not be sterilised for a longer or indefinite period.</p> <p>The DCO wording should be amended to clarify that decommissioning must take place following the 30-year life span in a reasonable period after the cessation of operation (e.g 3 years)</p> <p>Please refer to our response on the mineral sterilisation in the Estate's Response to the Applicant's Response to Deadline 4 Submissions being submitted separately at this Deadline 5</p>
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