

Rampion 2 Wind Farm **Statement of Common Ground - West Sussex County Council**

August 2024
Rev I

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1. Introduction

1.1 Background

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Rampion Extension Development Ltd (RED) (hereafter referred to as 'the Applicant') and West Sussex County Council (WSCC) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Rampion 2 Offshore Wind Farm (hereafter referred to as "Rampion 2" or "the Proposed Development").
- 1.1.2 The need for a SoCG between the Applicant and WSCC was set out within Rule 9 letter issued by the Examining Authority (ExA) on 20 September 2023 **[PD-005]**. In this letter, the ExA requested that Interested Parties, such as the WSCC, submit Principal Areas of Disagreement Statements (PADS) where the Interested Party: *'holds a substantive concern or concerns with the Proposed Development'*.
- 1.1.3 This SoCG is intended to cover all topics where agreement is sought between the Applicant and WSCC and covers the topics split by discipline as detailed in the Environment Impact Assessment (EIA) for Rampion 2.
- 1.1.4 This SoCG has been prepared in accordance with the 'Planning Act 2008: Guidance for the examination of applications for development consent' (Department for Communities and Local Government (DCLG), 2015 (hereby referred to as 'DCLG guidance').
- 1.1.5 Following detailed discussions undertaken through pre-application engagement consultation and Examination, the Applicant and WSCC have progressed a SoCG.
- 1.1.6 It is the intention that this document provides the ExA with a clear overview of the level of common ground between both parties. This document will facilitate further discussions between the Applicant and WSCC and has been updated as discussions progress during the Examination.

1.2 Approach to SoCG

- 1.2.1 This SoCG has been developed during both the pre-examination phase and the Examination phase of Rampion 2. WSCC issued their Relevant Representations **[RR-418]** and Principal Areas of Disagreement Statement **[AS-008]** which covers the topics and points of discussion. The SoCG makes reference to other submission documents that set out, in greater detail, the discussions that have taken place between WSCC and the Applicant during examination. These documents are:
- **Consultation Report [APP-027];**
 - **Planning Statement [APP-036];**
 - **Evidence Plan [APP-243 to APP-253];** and
 - The 'Consultation' section included within relevant chapters of the **Environmental Statement (ES), Volume 2 [APP-042 to APP-072]**.

1.2.2 The SoCG is structured as follows:

- **Section 1: Introduction:** Outlining the background of the proposed development ;
- **Section 2: West Sussex County Council's Remit:** Describing the remit of WSCC, main areas of discussion within the SoCG and a summary of consultation to date;
- **Section 3: Agreement/Disagreement Log:** A record of the positions of the Applicant alongside those of WSCC as related to the topics of discussion and the status of agreement on those positions.

1.3 The Proposed Development

1.3.1 The Applicant is developing Rampion 2 located adjacent to the existing Rampion Offshore Wind Farm Project (referred to as 'Rampion 1') in the English Channel.

1.3.2 Rampion 2 will be located between 13km and 26km from the Sussex Coast in the English Channel and the offshore array area will occupy an area of approximately 160km².

1.3.3 The key offshore elements of the Proposed Development will be as follows:

- up to 90 offshore wind turbine generators (WTGs) and associated foundations;
- blade tip of the WTGs will be up to 325m above Lowest Astronomical Tide (LAT) and will have a 22m minimum air gap above Mean High Water Springs (MHWS);
- inter-array cables connecting the WTGs to up to three offshore substations;
- up to two offshore interconnector export cables between the offshore substations;
- up to four offshore export cables each in its own trench, will be buried under the seabed within the final cable corridor; and
- the export cable circuits will be High Voltage Alternating Current (HVAC), with a voltage of up to 275kV.

1.3.4 The key onshore elements of the Proposed Development will be as follows:

- a single landfall site near Climping, Arun District, connecting offshore and onshore cables using Horizontal Directional Drilling (HDD) installation techniques;
- buried onshore cables in a single corridor for the maximum route length of up to 38.8km using:
 - ▶ trenching and backfilling installation techniques; and
 - ▶ trenchless and open cut crossings.
- a new onshore substation, proposed near Cowfold, Horsham District, which will connect to an extension to the existing National Grid Bolney substation, Mid Sussex, via buried onshore cables;

- extension to and additional infrastructure at the existing National Grid Bolney substation, Mid Sussex District to connect Rampion 2 to the national grid electrical network; and
- A full description of the Proposed Development is provided in **Chapter 4: The Proposed Development, Volume 2** of the **ES [APP-045]**.

2. West Sussex County Council's Remit

2.1 Introduction

- 2.1.1 As the remit of WSCC only extends to the Mean High-Water Mark (MHWM), representations are limited to the elements of the Project that have onshore-related impacts (including those from the construction and operation of the offshore wind turbines and associated infrastructure).
- 2.1.2 WSCC's role in relation to the DCO process derives from the Planning Act 2008 (the 'Act') and secondary legislation made under the Act. WSCC as a County Council is classified as a consultee under section 43 of the Act, meaning applicants must consult with WSCC before submitting a Nationally Significant Infrastructure Project (NSIP) application.
- 2.1.3 WSCC is the upper-tier local authority for the county of West Sussex as a whole and has a range of statutory responsibilities to provide services and discharge regulatory functions, which together affect a great many aspects of the built, natural and social environment. These functions include acting as Local Highway authority, Local Transport Authority, Waste Planning Authority, Waste Disposal authority, Minerals Planning Authority, County Planning Authority, Lead Local Flood Authority, Fire Authority (including public safety), Public Health Authority, Local Education Authority, and Social Services Authority. WSCC also holds responsibility for maintaining the Definitive Map and the Historic Environment Record.
- 2.1.4 The SoCG covers topics of the DCO application of relevance to WSCC, including:
- Principle of Development
 - Assessment of alternatives;
 - Securing Mechanisms, Draft Development Consent Order and s106 draft principles;
 - Seascape Landscape and Visual Impact Assessment;
 - Landscape and Visual Impact Assessment;
 - Archaeology and Cultural Heritage;
 - Socio-economics;
 - Noise and Vibration;
 - Ecology and Nature Conservation;
 - Arboriculture;
 - Transport;
 - Minerals Safeguarding;
 - Historic Environment;
 - Water Environment;

- Public Health; and
- Public Rights of Way.

2.2 Consultation Summary

2.2.1 **Table 2-1** in this section briefly summarises the consultation that the Applicant has undertaken with WSCC including both statutory and non-statutory engagement during the pre-application and post-application phases.

2.2.2 The Applicant and WSCC have agreed that the submitted SoCG at Deadline 5 is up to date. While the status of matters has been finalised as far as possible, some of the SoCG still report matters as being in the process of discussion. With relevant materials being submitted into Examination at Deadline 5 these need to be considered to close matters and enable the final SoCG to be submitted at Deadline 6.

Table 2-1 Consultation Correspondence and Engagement undertaken with WSCC

Date and type	Description of consultation
25/08/2020 Targeted meeting	Discussion of Terrestrial ecology and nature conservation, sensitive sites and WSCC enhancement comments.
09/09/2020 Steering Group Meeting	Steering group meeting to discuss the Project background, activities undertaken to date and key offshore and onshore issues from the Scoping Report.
15/09/2020 Expert Topic Group (ETG) Meeting	First ETG Meeting to discuss SLVIA, LVIA, Archaeology and Cultural Heritage.
28/10/2020 Expert Topic Group ETG Meeting	ETG meeting to discuss Onshore ecology, hydrology and nature conservation.
29/10/2020 Expert Topic Group (ETG) Meeting	ETG meeting to discuss Transport, Air quality, Noise and Vibration, Health and Socio-economics.
15/03/2021 Targeted meeting	Meeting to discuss WSCC comments on Socio-economic and Tourism method statement.

Date and type	Description of consultation
16/03/2021 Steering Group Meeting	Steering group meeting to discuss updates on the Proposed Development, offshore and onshore activities and informal consultation.
16/03/2021 ETG Meeting	ETG meeting to discuss Traffic, Air quality, Noise and vibration and Socio-economics.
18/03/2021 ETG Meeting	ETG Meeting to discuss SLVIA, LVIA, Onshore archaeology and Cultural heritage and Marine archaeology.
23/03/2021 ETG meeting	ETG meeting to discuss Onshore ecology, Hydrology and Onshore nature conservation.
28/04/2021 Targeted Meeting	Additional Targeted SLVIA ETG Meeting.
18/08/2021 Targeted meeting	Update meeting for Terrestrial ecology and nature conservation.
Statutory Consultation carried out under Section 42 of the Planning Act 2008 (14 July to 16 September 2021) Statutory consultation response	Response from WSCC dated 16 September 2021 including key aspects: <ul style="list-style-type: none"> • Air quality; • Ground conditions; • Soils and agriculture; • Historic environment; • Seascape, Landscape and Visual Impacts; • Terrestrial ecology and nature conservation; • Socio-economics; • Water environment; and • Transport.
14/10/2021 Targeted meeting	Engagement with WSCC regarding Traffic and transport.

Date and type	Description of consultation
01/11/2021 Steering Group Meeting	Steering group meeting to discuss updates on the Proposed Development and S42 consultation.
03/11/2021 ETG meeting	ETG meeting to discuss Onshore Ecology, Hydrology and Nature conservation.
04/11/2021 ETG Meeting	ETG meeting to discuss SLVIA, LVIA, Cultural heritage and Archaeology.
04/11/2021 ETG Meeting	ETG meeting to discuss Traffic, Air quality, Noise and vibration and Socio-economics.
06/02/2022 Steering Group Meeting	Fifth Steering Group Meeting.
23/02/2022 Targeted meeting	Update meeting regarding onshore historic environment geophysical survey.
02/03/2022 Targeted Meeting	Additional Targeted SLVIA ETG Meeting.
01/04/2022 Targeted meeting	Targeted meeting to discuss local sources of flood risk.
16/06/2022 ETG Meeting	ETG Meeting to discuss Marine Archaeology methodology.
02/08/2022 Targeted meeting	Meeting with SDNPA and WSCC to discuss survey progress since November 2021.
05/09/2022 Steering Group Meeting	Steering Group Meeting.
10/11/2022 ETG meeting	ETG meeting to discuss LVIA and Terrestrial ecology.

Date and type	Description of consultation
<p>Statutory Consultation carried out under Section 42 of the Planning Act 2008 (18 October to 29 November 2022)</p> <p>Statutory consultation response</p>	<p>Rampion 2 Offshore Wind Farm Supplementary Consultation</p> <p>Response from WSCC dated 29 November 2022 including key topics:</p> <ul style="list-style-type: none"> • Arboriculture; • Biodiversity; • Cultural Heritage; • Landscape and Visual Impact (LVIA); • Public Rights of Way (PRoW); and • Traffic and Transport.
<p>17/11/2022</p> <p>ETG meeting</p>	<p>ETG meeting to discuss Noise and vibration and Air quality.</p>
<p>21/11/2022</p> <p>ETG meeting</p>	<p>ETG meeting to discuss Soils and agriculture and Ground conditions</p>
<p>22/11/2022</p> <p>ETG meeting</p>	<p>ETG meeting to discuss Water environment.</p>
<p>28/11/2022</p> <p>ETG meeting</p>	<p>ETG meeting to discuss Transport and Socio-economics.</p>
<p>21/02/2023</p> <p>ETG meeting</p>	<p>ETG meeting to discuss Transport and Socio-economics</p>
<p>26/02/2023</p> <p>Targeted meeting</p>	<p>Discussion of the scope of onshore Historic environment geophysical surveys with WSCC County Archaeologist.</p>
<p>Statutory Consultation carried out under Section 42 of the Planning Act 2008 (4 February – 27 March 2023)</p> <p>Statutory consultation response</p>	<p>Rampion 2 Offshore Wind Farm Further Supplementary Consultation</p> <p>Response from WSCC dated 27 March 2023 including key topics:</p> <ul style="list-style-type: none"> • Cultural Heritage;

Date and type	Description of consultation
	<ul style="list-style-type: none"> • Traffic and Transport; • Arboriculture; • Biodiversity; and • Public Rights of Way.
01/03/2023 ETG meeting	ETG meeting to discuss LVIA and Historic environment.
02/03/2023 ETG meeting	ETG meeting to discuss Noise and vibration, Air quality, Soils and agriculture and Ground conditions.
07/03/2023 ETG meeting	ETG meeting to discuss Terrestrial ecology and Water environment.
21/03/2023 ETG meeting	ETG meeting to discuss LVIA and Historic environment
19/04/2023 Targeted meeting	Targeted meeting with WSCC Highways officers regarding transport.
12/06/2023 Steering Group Meeting	Steering Group Meeting.
14/06/2023 ETG meeting	ETG meeting to discuss LVIA and Historic environment.
16/06/2023 ETG meeting	ETG meeting to discuss Air Quality, Noise and vibration, Soils and agriculture and Ground conditions.
20/06/2023 ETG meeting	ETG meeting for Transport and Socio-economics

Date and type	Description of consultation
13/07/2023 Targeted meeting	Meeting with SDNPA and WSCC to discuss access numbering, traffic data, survey and further information.
20/07/2023 Targeted meeting	Meeting with WSCC to discuss initial concerns and potential scope of site access Road Safety Audits and speed survey requirements.
25/01/2024 Expert to Expert meeting	LVIA Expert to expert meeting
21/03/2024 Expert to Expert meeting	LVIA Expert to Expert Meeting
15/02/2024 Expert to Expert meeting	LVIA Expert to Expert Meeting
27/02/2024 Expert to Expert meeting	Oakendene substation – Flood Risk Assessment and evidence base
14/03/2024	Statement of Common Ground Page Turn Meeting to discuss Rev A and address outstanding concerns and close out any ongoing points of discussion
18/03/2024 Expert to Expert meeting	Rampion 2 Expert to Expert BNG Meeting
17/04/2024 Expert to Expert meeting	Rampion 2 ETG Meeting- Socio-Economics WSCC-R2
23/04/2024 Expert to Expert Meeting	Mineral Resource Assessment
25/04/2024 Expert to Expert Meeting	Biodiversity Net Gain

Date and type	Description of consultation
30/04/2024 Expert to Expert meeting	Water Environment Meeting- Flood Risk
30/05/2024	Statement of Common Ground Page Turn Meeting to discuss Rev D and address outstanding concerns and close out ongoing points of discussion
25/06/24 Expert to Expert meeting	LVIA and Noise Expert to Expert Meeting
26/06/24 Expert to Expert meeting	Terrestrial Ecology Expert to Expert Meeting
27/06/24	Statement of Common Ground Page Turn Meeting to discuss Rev E and address outstanding concerns and close out ongoing points of discussion
02/07/24 Expert to Expert Meeting	Transport Expert to Expert Meeting
02/07/24 Expert to Expert Meeting	Historic Environment Expert to Expert Close Out Meeting
19/07/24 Expert to Expert meeting	Minerals Expert to Expert Meeting
22/07/24 Expert to Expert meeting	Terrestrial Ecology Expert to Expert Meeting
29/07/24 Expert to Expert meeting	Historic Environment Expert to Expert Meeting
30/07/24 Expert to Expert meeting	Traffic and Transport Expert to Expert Meeting

3. Agreement/Disagreement Log

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and WSCC for each relevant component of the Application identified in paragraph 2.1.4. The tables below detail the positions of the Applicant alongside those of WSCC and whether the matter is agreed or not agreed.
- 3.1.2 In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or an ‘ongoing point of discussion’, the agreements log in the tables below are colour coded to represent the status of the position according to the criteria in **Table 3-1** below.

Table 3-1 Position status key

Position Status	Colour Code
The matter is considered to be agreed between the parties	Agreed
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or WSCC is not considered to result in a material outcome on the assessment conclusions.	Not agreed- No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or WSCC is considered to result in a materially different outcome on the assessment conclusions.	Not agreed- material impact

- 3.1.3 The overview of the status of discussion on all of the themes presented in the Agreement/Disagreement log has been reported throughout the Examination via the Statements of Commonality. The opening position of WSCC is reported against the evolving position of the Applicant. Where agreement is reached, this indicates that WSCC and the Applicant mutually support the position stated by the Applicant. The date of agreement is noted (where made) and the ‘Record of Progress’ section of the SoCG tables captures how the issue reached the final ‘position status’ (key for this is found in Table 3-1 above).

Table 3-2 Status of discussions related to the Principle of Development

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC01	Principle of development	<p>The Rampion 2 Offshore Wind Farm is supported in principle by WSCC because it would make a significant contribution to the provision of renewable energy.</p> <p>The Project must not only deliver to aid the Government's energy objectives but also deliver sustainable societal and economic impacts in the regions that are hosting them. Therefore, the Project needs to be achieved without significant adverse effects on the environment, local communities, and economy of West Sussex.</p>	<p>The project will contribute materially towards meeting the urgent national need for renewable electricity generation, significantly reducing carbon emissions from energy.</p>	Agreed	06/11/2023	<p>Agreement is made on the principle of the development, however as outlined through the engagement with the Applicant, robust mitigation measures must be in place to ensure a least impactful design can be achieved.</p>

Table 3-3 Status of discussions related to Assessment of alternatives

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSSC02 This was a Principal Area of Disagreement for West Sussex County Council	Evidence of a robust and transparent site selection process for elements of above ground project infrastructure	<p>Concerns</p> <p>WSSC raises concerns that the site selection process has not been sufficiently demonstrated through the application documentation for the above ground infrastructure and the areas of continuous construction presence.</p> <p>Desired Actions</p> <p>Provide further evidence (constraints mapping and RAG assessment) that the onshore substation and construction compound locations have been robustly assessed.</p>	<p>Environmental Statement Chapter 3: Alternatives, Volume 2 [APP-044] describes the alternatives studied by the Applicant and a comparison of their environmental effects across the project as a whole. This includes the alternatives considered and consulted on prior to the DCO Application. As described in Environmental Statement Chapter 3 Alternatives, Volume 2 [APP-044], the Proposed Development has been developed through a multi-disciplinary design process including environment, engineering, landowner and cost considerations. With regard identifying the “least impactful option” or the “most environmentally acceptable location” as noted in this SoCG, the Applicant has sought to avoid, reduce or minimise the effects through the design process and through the application of the mitigation hierarchy, identifying and securing embedded environmental measures. It is acknowledged that some significant residual effects remain across the site. Note while the Applicant has considered alternatives and followed a process to minimise impacts - the NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective.</p> <p>Section 3.6 of Environmental Statement Chapter 3: Alternatives, Volume 2 [APP-044] provides the information on the onshore substation site selection process. Section 3.6 describes the site selection process and the reasons for other sites being discounted based on the multi-disciplinary factors identified in the paragraph above. The selection of Oakendene is clearly stated as favourable for engineering, cost and landowner considerations in paragraphs 3.6.23 to 3.6.25 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044]. Significant weight was also given to the environmental constraints and related policy in the overall balance of the decision.</p> <p>Additional information on the selection of the onshore substation site was provided to the Examination to justify the selection of the Oakendene site over that at Wineham Lane North in 8.25.2 Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 2 - Further information for Action Point 4 – Wineham Lane North [REP1-021].</p>	Agreed	18/07/24	<p>18/-7/24: The Applicant has provided evidence and justification for the chosen option of the temporary construction compounds taken forward as part of the Project. WSSC confirms agreement can be made on the basis of the evidence given.</p> <p>27/06/24: WSSC cannot agree to this turning to green, until evidence on the optioneering for the compound locations has been presented.</p> <p>04/24- The Applicant has provided information on compound optioneering for the review of WSSC in written representation responses.</p> <p>Awaiting WSSC Response.</p> <p>WSSC 07/03/2024 – Further information is required on the wider options proposed for the compound locations. As it appears to be suggested that alternative locations for compounds have not been considered.</p> <p>WSSC acknowledges the Deadline 1 submission [REP1-021] from the Applicant regarding Action Point 4 and therefore WSSC needs to review this before any change to a position could be made.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>In relation to Alternatives for construction compounds - the Applicant requires three temporary construction compounds (TCC's) as bases to support the construction of the onshore cable corridor to reduce the distance travelled between the compounds and cable work sites, and another two to support the onshore substation works. This includes for logistics, preparing materials, equipment maintenance, project management and to support mitigation works. Compounds must have sufficient space for the required purposes, be close to major roads for ease of transport links, be near the onshore cable corridor and key construction activities, and be on level clear ground where possible to reduce the need for cut/fill.</p> <p>These practical considerations – and:</p> <ul style="list-style-type: none"> - the desire of the Applicant to avoid having any of the main temporary construction compounds within the South Downs National Park in acknowledgement of its status - selection of the alternatives with the lowest environmental impacts <p>has resulted in the selected sites included within the DCO order Limits.</p> <p>The maximum assessment assumptions and parameters for the five temporary construction compounds are outlined in Table 4-22 within Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045].</p> <p>The Environmental Statement (ES) has assessed the effects of each compound for during construction. Though impacts will arise, there are no significant effects arising from noise, dust, ecology, Public Rights of Way and traffic impacts when considering the embedded environmental measures secured in the Outline Code of Construction Practice [REP4-043] (CoCP), the Outline Construction Traffic Management Plan [REP4-45] (CTMP) and the Outline Public Rights of Way Management Plan [APP-230] (PRoWMP). The Applicant acknowledges that significant landscape and visual effects associated with the presence of the compound, but these are temporary and reversible when the commitment to reinstatement in the Outline Landscape and Ecology Management Plan [REP4-047] (LEMP) is considered.</p>			

Table 3-4 Status of discussions related to Securing Mechanisms, Draft Development Consent Order and Section 106 agreement

Reference number	Point of Discussion	WSSC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSSC03 This was a Principal Area of Disagreement for West Sussex County Council	Construction phasing information.	<p>Concerns</p> <p>Lack of detail regarding community engagement and construction phasing details, including securing commitment 19, which outlines cable route being constructed in discrete sections to reduce environmental impact.</p> <p>Desired Actions</p> <p>The Applicant must provide further details on community engagement plans and how construction phasing will be secured.</p>	<p>Section 2.6 of the Outline Code of Construction Practice [REP4-043] states that a Construction Communication Plan (CCP) will be produced prior to commencement of construction for the approval of the relevant planning authorities and provides further detail on the content. This will include tailored Communication and Mitigation Plans for local communities on the onshore cable route and Communication Plans for special interest user groups including public rights of way users, fishers and divers. The CCP will also include the complaints procedure.</p> <p>Provision of a Construction Communications Plan has been added as Requirement 34 in 3.1 Draft Development Consent Order (Clean) Rev D [REP4-004]. An outline Construction Communications Plan is due to be submitted at Deadline 5.</p> <p>Section 4.7 of the ES Chapter 4: The Proposed Development, Volume 2 [APP-045] provides a summary of the indicative construction programme that has informed the assessments within the ES.</p> <p>Schedule 1, part 3, requirement 10 of the draft Development Consent Order (DCO) [REP4-004] secures “a written programme identifying the stages of those works”, to be provided to the relevant planning authorities for approval. Stage is defined as “a part of the onshore works within the onshore Order limits” – ie a geographic section of the project. The programme thus identifies the order in which these parts would be built and is secured through approval by the relevant planning authorities. All onshore host planning authorities would be considered relevant for discharge of this requirement.</p> <p>A programme detailing onshore site preparation works will need to be submitted separately.</p> <p>Schedule 1, part 3, Requirement 10 of the draft Development Consent Order (DCO) [REP4-004] secures “a written programme identifying the stages of those works”, to be provided to the relevant planning authorities for approval. Stage is defined as “a part of the onshore works within the onshore Order</p>	Agreed	18/07/24	<p>18/07/24: WSSC welcomes the production of the CCP. WSSC raises concern however, regarding the lack of clarity on construction phasing presented during the Examination but acknowledges that a worst case has been presented in the EIA. This matter is therefore agreed with WSSC, however, it should be highlighted , that C-103 states that ‘<i>Areas of temporary habitat loss will begin reinstatement within 2 years of the loss, other than at the temporary construction compounds, cable joint bays, some haul roads, some construction access roads, landfall and substation location where activities may take longer to complete.</i>’ as it is the compounds, haul roads and accesses which are likely to have the greatest landscape and visual impact. It must be assumed insofar as reinstatement cannot be guaranteed until construction has been completed in full.</p> <p>27/06/24: The Applicant proposes that this moves from yellow to green based on the exchange of written responses on the matter throughout the course of the Examination Process.</p> <p>WSSC will need to review the CCP expected by the Applicant at Deadline 5. Concern is still raised by WSSC on the lack of clarity on construction phasing presented during the Examination.</p> <p>20/06/24: Clarification has been added on staging as now set out in the Applicant’s Position.</p> <p>04/24- The Applicant has added provision of a Construction Communication Plan as a requirement in the DCO.</p> <p>07/03/2024 – WSSC provided clarification on details of this issue to the Applicant: Chapter 4 construction programme is nothing more than indicative at this stage.</p> <p>Based on Rampion 1, large lengths of the cable route and associated fencing, soil storage and haul routes are likely to remain in place throughout the entire construction period to provide access, and for cable pulling/jointing activities, which extend the</p>

Reference number	Point of Discussion	WSSC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>limits” – i.e. a geographic section of the project. The programme thus identifies the order in which these parts would be built ,and is secured through approval by the relevant planning authorities. All onshore host planning authorities would be considered relevant for discharge of this requirement.</p> <p>A programme detailing onshore site preparation works will be submitted separately.</p> <p>Both the Commitments Register [REP4-047] and Outline Construction Method Statement [APP-255] have been amended at Deadline 5 to note that the stage specific CMS will describe the construction works proposed within that stage and set out a protocol for the and reinstatement of land used temporarily for construction during that stage and the timing in line with Commitment C-103 (see Commitments Register [REP4-057] (updated at Deadline 5))</p>			<p>visual impacts taking place (and prolong the period before which reinstatement planting is possible).</p> <p>As it is understood Requirement 10 will just split the route into sections, to aid in the submission of other requirements for each stage? This should be clarified/modified if it's expected that stages are in fact phases (which could mean something different). WSSC needs clarity on what DCO R10 will provide (outline version).</p>
WSSC04	<p>The detailed design for trenchless crossings (HDD) will be confirmed at the detailed design stage as part of Construction Method Statements (CMS) (APP255). This leaves significant uncertainty as the potential for impacts.</p>	<p>Concerns</p> <p>The OCMS suggests for any changes to trenchless crossings (currently identified as preferred options) confirmation will be provided that there are no new or materially different environmental effects arising compared to those assessed in the ES. However, no methodology as to how this will be assessed/established has been provided.</p> <p>Desired Actions</p> <p>The Applicant must provide further details on how this will be secured.</p>	<p>The Outline Construction Method Statement [APP-255] provides further information regarding the detailed design of the trenchless crossings in Section 3.4 and the further information required to inform this (e.g. ground investigation). The detailed design of a trenchless crossing will be undertaken within the established parameters assessed in the ES as detailed in 4.5.27 of Environmental Statement Chapter 4: The Proposed Development, Volume 2 [APP-045]. The Crossing Schedule is presented at Appendix A of the Code of Construction Practice [REP3-025], which is secured in Schedule 1 Part 3, requirement 22 of the draft Development Consent Order [REP4-004] to be approved by the relevant planning authority. Any assessment required at the detailed design stage would be undertaken in accordance with the established methodologies outlined in the ES.</p>	Not Agreed – No Material Impact	18/07/24	<p>18/7/24: This is not agreed with WSSC. This would have been agreed, subject to the inclusion of Requirement 42 within the dDCO, as suggested by the ExA. The Applicant currently has not chosen to include this.</p> <p>27/06/24: The Applicant proposes that this moves from yellow to green based on the exchange of written responses on the matter throughout the course of the Examination Process.</p> <p>The Applicant has made changes to DCO and Commitments Register to secure the stated position.</p> <p>WSSC – this is moving toward agreed – subject to Requirement 42 being updated at DL5. .</p> <p>30/05/24 To be discussed further at page turn</p> <p>07/03/2024 — WSSC provided clarification on details of this issue to the Applicant: If details are to be provided as part of CMSs then the outline version should clearly set out how this will be presented. Concerning that DCO R10 is referred to</p>

Reference number	Point of Discussion	WSSC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
						<p>as the control mechanism as surely this will be DCO R23 (CMS)?</p> <p>Possible DCO R23 (g) should make clear the methodology for assessment of materially different effects or the outline CMS at 3.4.2 needs to be more robust. What is the trigger for these assessments to be carried out?</p>
WSSC05 This is a Principal Area of Disagreement for West Sussex County Council	Concerns about draft DCO wording	<p>Concerns</p> <p>WSSC have provided initial comments on the draft DCO, and the Applicant has amended some elements to take account of these comments. Principal areas of disagreement remain in relation to various articles and schedules within the Draft DCO, including wording of some of the Requirements.</p> <p>Desired Actions</p> <p>The Applicant to engage in discussions regarding the current draft DCO wording.</p>	<p>The Applicant addressed a number of the WSSC previous comments in the draft Development Consent Order [REP4-004]. Response to WSSC's further asks is provided in 8.43 Category 8: Examination Documents - Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP-020]. This was also explained at Issue Specific Hearing 2 [16/05/2024].</p> <p>The Applicant has provided further comments to West Sussex County Council's feedback to the Applicant's response to dDCO comments in the West Sussex County Council Local Impact Report within Table 2-2 within Deadline 4 Submission – 8.66 Applicant's Comments on Deadline 3 Submissions [REP-020].</p>	Not Agreed – No Material Impact	18/07/24	<p>18/07/2024 -This is not agreed with WSSC. There is a small list of matters that are still a concern, which were raised through the process. These are reiterated in the Closing Statement (Section O), which will be submitted at Deadline 6 (and based upon those presented at Deadline 5 (REP5-034, Appendix 1, in response to the ExAs Further Written Question DCO 2.4).</p> <p>27/06//24: WSSC welcome the amendments that have been made to date, some further comments are to be submitted by WSSC at Deadline 5. Subject to those being addressed, this could move to agreed.</p> <p>30/05/24 To be discussed further at page turn WSSC</p> <p>07/03/2024 – WSSC requested Applicant to see Appendix to the LIR where further commentary is given on the DCO.</p>
WSSC06 This was a Principal Area of Disagreement for West Sussex County Council	Role of WSSC in the discharge of Requirements process	<p>Concerns</p> <p>Clarity is required on the role of WSSC in the discharge of DCO Requirements, following the role WSSC undertook for Rampion 1 and lessons learnt from this process.</p> <p>Desired Actions</p> <p>The Applicant to engage with WSSC regarding this matter, including recovery of costs for undertaking this work.</p>	<p>WSSC is noted to have a role in discharging a number of requirements in its capacity as highway authority and local lead flood authority.</p> <p>An additional requirement has been added to the draft Order to allow local planning authorities to charge for requirement discharge.</p> <p>DL3 response to LIR summary (Applicant's Responses to West Sussex County Council Deadline 1 Submissions [REP2-020]): There are a number of requirements which relate directly to matters in respect of which WSSC exercises a statutory function. For these matters it is considered that it is appropriate for WSSC to be the discharging authority and this is consistent with numerous development consent orders made for offshore wind</p>	Agreed	18/07/24	<p>18/07/2024 – WSSC agrees with this matter based upon documentation submitted through the Examination.</p> <p>27/06/24: The Applicant proposes that this moves from yellow to green based on the exchange of written responses on the matter throughout the course of the Examination Process.</p> <p>WSSC responded that it is clear on the role it will play in the DCO, if granted. Cost recovery is a key concern however, WSSC are seeking a PPA akin to that with Rampion 1. The Applicant confirmed standard fees are to be paid and that a PPA will be discussed on costs over and above the statutory service provision. This cost recovery sits outside</p>

Reference number	Point of Discussion	WSSC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			farms. As provided for in Schedule 14 a fee is payable to the discharging authority for each application to discharge a requirement.			the examination – it is not a planning consideration. 30/05/24 To be discussed further at page turn WSSC 07/03/2024 – Please see Appendix to the LIR where further commentary is given on the DCO.
WSSC07 This was a Principal Area of Disagreement for West Sussex County Council	Concerns about the Section 106 draft principles from the Applicant	<p>Concerns</p> <p>The current section 106 draft principles are limited in scope and scale.</p> <p>Desired Actions</p> <p>WSSC and the Applicant to engage in further discussions regarding the 106 to ensure better outcomes for West Sussex.</p>	<p>Draft Heads of Terms for a section 106 agreement have been provided to WSSC and to the Examination in Draft Heads of Terms for S106 Agreement with West Sussex County Council [REP4-075].</p> <p>The applicant's position is that the section 106 agreement adequately compensates for the residual significant effects of the Proposed Development on matters for which WSSC holds statutory responsibility.</p>	Agreed	27/06/24	<p>18/07/24: WSSC is in agreement with this matter. it should however be noted, there are currently concerns over the securing mechanism of the Section 106, which will be outlined in the Closing Statement and discussed with the Applicant ahead of Deadline 6.</p> <p>27/06/24: The Applicant proposes that this moves from yellow to green based having had active dialogue and exchange on the principles, scope and scale of the S106. The Applicant has made a S106- offer to WSSC on the basis of having considered the specifics of their request.</p> <p>WSSC confirmed principles for those elements included within the draft Section 106 are agreed – though there are some minor drafting details still ongoing.</p> <p>12/06/24- Updated Draft submitted. WSSC to confirm agreement.</p> <p>30/05/24 To be discussed further at page turn and S106 call</p> <p>07/03/2024 – WSSC noted that Significant impacts occur and EN-1 generally requires impacts are minimised and mitigated as far as practicable.</p> <p>WSSC looks forward to engagement on the s106 principles and scope in due course. Appendix F of the WSSC LIR sets out the position with regards to scope.</p>

Table 3-5 Status of discussions related to Seascape, Landscape and Visual Impact

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
WSCC08	SLVIA viewpoints	Agreement of viewpoint locations for use in the SLVIA was reached following consideration of the combined feedback from consultees and discussion during ETG meetings between March 2020 and 17 June 2022.	N/A	Agreed	17/06/2022	17/06/2022: Agreed
WSCC09	SLVIA worst-case scenario	The 325m WTG worst-case scenario (65 larger turbines) was agreed by all stakeholders in the SLVIA ETG as acceptable. This worst-case scenario was adopted in the assessment in the Preliminary Environmental Information Report (PEIR) supporting Statutory Consultation in 2021.	N/A	Agreed	28/04/2021	28/04/2021: Agreed
WSCC10	SLVIA Assessment – PEIR	In general terms, the assessment is detailed and provides useful information to enable the consideration of impacts on SLVIA aspects. A worst-case scenario has rightly been presented (reflecting the current position of the design and understanding of baseline conditions) and the methodology is largely clear, considering the full range of key matters that would be expected.	General agreement was noted regarding the assessment detail, method, information and impacts assessed in the PEIR. While noting that there are some differences in professional judgement of specific receptor assessments, there was agreement on the concluding findings of the PEIR assessment. The updated assessment of effects of Rampion 2 on seascape, coastal landscapes and views experienced by people (receptors) in West Sussex are assessed in Chapter 15: Seascape, Landscape and Visual Impact, Volume 2 [APP-056] Section 15.10 (O&M effects). The spatial extent of the Rampion 2 array area has been reduced and designed according to a set of SLVIA specific design principles (Chapter 15: Seascape, Landscape and Visual Impact, Volume 2 [APP-056] Section 15.7) which provide embedded environmental measures by reducing the magnitude (scale) of effects and minimising harm on the perceived seascape qualities and views.	Agreed	15/09/2021	15/09/2021: Agreed
WSCC11	SLVIA assessment professional judgement	It is recognised that some elements are matters of professional judgement, however, in some cases it is		Not Agreed- No	22/05/24	22/05/24: WSCC does not agree this matter. The Applicant notes some difference in professional judgement, but that WSCC agree

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
		considered that these may have been downplayed, specifically with regards to receptors along the West Sussex coastline.	The Applicant notes some difference in professional judgement, but that WSCC agree with the concluding findings of the assessment on the significance of effects (WSCC11).	Material Impact		with the concluding findings of the assessment on the significance of effects (WSCC11).
WSCC12	SLVIA assessment conclusions on significant effects	WSCC note and agree with the concluding findings of the assessment, that the proposed development will have significant seascape, landscape and visual effects, and therefore maintains strong concerns about the scale of likely impacts from Rampion 2 in addition to, and in combination with the currently operating Rampion 1 Offshore Wind Farm.		Agreed	15/09/2021	15/09/2021: Agreement on concluding findings of the assessment.
WSCC13	Lack of night-time view assessment for West Sussex receptors outside of the International Dark Sky Reserve (IDSR). This was a Principal Area of Disagreement for West Sussex County Council This is a Principal Area of Disagreement for West Sussex County Council	Concerns Although acknowledged as agreed in the consultation table of the SLVIA chapter, no assessment of night-time views has been outlined for non IDSR receptors. Desired Actions The Applicant must provide an assessment of effects upon night-time views to viewpoints agreed with WSCC.	The Applicant apologises for the omission of the night-time assessment viewpoints agreed with WSCC. A Supplementary Night-time Viewpoint Assessment [PEPD-024] containing the assessment of these viewpoints was submitted at the pre-Examination deadline and shared with WSCC.	Agreed	25/04/2024	25/04/2024: In their Responses to Written Questions (ExQ1) (SLV 1.10) [REP3-073] , WSCC confirmed they agree with the night-time viewpoint assessments [PEPD-024] of viewpoints in West Sussex, this matter is therefore agreed 16/01/2024: The Applicant submitted Supplementary Night-time Viewpoint Assessment [PEPD-024] to the Examination containing night-time photomontages and assessment from viewpoints in West Sussex.

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
<p>WSCC14</p> <p>This was a Principal Area of Disagreement for West Sussex County Council</p>	Maximum Design Scenario	<p>Concerns</p> <p>Confirmation a worse case Maximum Design Scenario has been assessed.</p> <p>The Maximum Design Scenario has balanced the number of turbines between both Zone 6 and the western Extension Area. If the DCO does not secure the location or placement of these, has the worst case been assessed for the receptors of West Sussex.</p> <p>Desired Actions</p> <p>This requires further demonstration by the Applicant that it is the worst case for receptors in West Sussex.</p>	<p>The Applicant welcomes WSCC's feedback on the appropriate detail and usefulness of the SLVIA presented in Chapter 15 of the ES. The Applicant has produced and submitted a 'Seascape, Landscape and Visual MDS Clarification Note' at Deadline 1 [REP1-037] which provides further justification that the MDS, with a balance of turbine numbers between the Zone 6 and western Extension Area, is representative of the worst case in terms of seascape, landscape and visual effects.</p>	Agreed	27/06/24	<p>27/06/24: WSCC confirms that this can move to agreed on the basis of having reviewed written responses.</p> <p>30/05/24: WSCC confirmed that this issue will be taken away for further internal discussions before responding.</p> <p>20/03/2024: In its Deadline 2 submission, WSCC noted that the SLVIA MDS and Visual Design Principles Clarification Note [REP1-037] has not taken account of matters raised by WSCC in its RR [RR-418] and supplemented in its LIR [REP01-054].</p> <p>07/03/2024 —WSCC note they would wish to understand why the opportunities to reduce effects through further design principles specific to West Sussex are limited by the technical, economic and functional requirements of the Project to produce renewable energy, as well as other environmental factors. Further detail on this, it is assumed is within REP1-037.</p>
<p>WSCC15</p> <p>This is a Principal Area of Disagreement for West Sussex County Council</p>	Layout and extent of offshore wind turbines SLVIA	<p>Concerns</p> <p>Concerns about the layout and extent of offshore wind turbines and the securement of a Project with lesser impacts to receptors in West Sussex.</p> <p>Desired Actions</p> <p>The Applicant must continue to work with stakeholders to further develop commitments to the layout and extent of turbines, to reduce the significant visual impacts as presented.</p>	<p>The spatial extent of the Rampion 2 array area has been reduced and designed according to a set of SLVIA specific design principles (ES Chapter 15, Section 15.7) [APP-056] which provide embedded environmental measures by reducing the magnitude of effects and minimising harm on the perceived seascape qualities and views, focusing particularly on the SDNP. Opportunities to reduce effects through further design principles specific to West Sussex are limited by the technical, economic and functional requirements of the Project to produce renewable energy, as well as other environmental factors. The Applicant submitted a SLVIA MDS and Visual Design Principles Clarification Note [REP1-037] at Deadline 1, which provides further commentary on these SLVIA specific design principles.</p> <p>At Issue Specific Hearing 2 (16/05/2024) the Applicant confirmed that it recognised that further design measures in respect of the size and positioning of turbines could reduce impacts, if there were opportunity to further change those parameters. However, even if these measures were implemented, it was unlikely that</p>	Not Agreed-Material Impact	30/05/24	<p>26/06/24: The Applicant notes to WSCC that in relation to the concerns related to these impacts on the special qualities of the National Park (with which WSCC overlaps) - Compensation discussions via S-106 are underway.</p> <p>WSCC noted in response that regardless the significant impacts on the coastal plain and wider areas, outside of the National Park persist. This therefore remains a disagreed position</p> <p>03/06/2024: In its Deadline 4 response [REP4-086] (SLV 1.6) WSCC acknowledged that it welcomed the evolution in offshore design and reduction in offshore DCO Limits prior to submission. However, it considers that this has not resulted in a major reduction to the potential visual effects upon West Sussex receptors and that without willingness to engage with WSCC regarding further offshore design to reduce</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
			<p>visual impacts would reduce to a non-significant effect, and given economic, viability and technical constraints, the measures already put in place minimise impacts as far as the Applicant can reasonably do within these constraints. The Applicant noted that in the latest version of NPS (EN-1) (DSNZ, 2023a), there is a policy requirement for projects to maximise generating capacity. Measures to reduce impacts such as by constraining the extent of the array area, and the size and type of WTGs, will constrain the generating capacity of the Proposed Development.</p>			<p>impacts, this is an area of disagreement with the Applicant.</p> <p>30/05/2024: Changed to 'Not agreed' following the Applicant's meeting with WSCC on 30/05/2024.</p>

Table 3-6 Status of discussions related to Landscape Visual Impact Assessment

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
WSCC16	LVIA Potential visual and landscape impacts of construction activities assumptions, especially related to consideration of haul roads.	<p>Concerns</p> <p>The Application downplays the potential visual and landscape impacts of construction activities, with too strong a reliance on it being short term, and reinstatement being phased/carried out as soon as possible (with reference to Commitments C7 and C19).</p> <p>Although understood that key excavation/HDD activities may be intermittent and shorter term, visual/landscape construction related impacts (particularly for the cable corridor and any new side accesses) will likely be dominated by haul routes/tracks which may be in place for the entire construction period (dependant on phasing which is not specified/known at this stage).</p> <p>Desired Actions</p> <p>There is a need to recognise and give greater weight to the potential construction impacts, which is arguably longer term (at 3.5 to 4 years).</p> <p>Details of how C-19 will be secured and the type of information that will be provided on detailed phasing, sequencing of</p>	<p>The LVIA has assessed the maximum, or 'worst case' related to the onshore cable construction works (including active haul road / accesses, construction compounds and cable trenching / laying) and that level of effect and whether it is significant is recorded for the assessment. We are not able to account for the phasing of the works in the assessment and have only recorded that the duration of the effects, as a worst case, will be the total construction period. In describing the nature of the effect, the LVIA recognises that in practice the onshore development will be subject to phases of development and progressive restoration – so the effects would either remain as assessed or reduce during the construction period according to the phasing. Therefore, significant effects are not 'downplayed'. They are however reported as 'short-term' which covers development under 5 years duration in accordance with the methodology. (medium term is 6-10 years and long term is greater than 10 years) Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES, paragraph 1.5.17 [APP-167]. The summary reporting in Chapter 18: Landscape and visual impact, Volume 2 of the ES, Tables 18.40-45 [APP-059] describes the maximum duration (up to 3.5-4 years) and this realistic worst case has been applied to the assessments.</p> <p>It is technically correct to describe these as short-term durations. Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES [APP-167] references GLVIA3, paragraph 5.51 which sets out that short-term duration is under 5 years. Note also that the level of effect is not 'discounted' due to the short-term duration of an effect, rather the duration is set out separately alongside each assessment to describe the nature of the effect. This presents a 'worst case'.</p> <p>Whilst the phasing/sequencing of works has yet to be determined, we believe it is correct to seek progressive restoration for cable laying as set out in Commitment C-19 (<i>The onshore cable will be constructed in discrete sections. The trenches will</i></p>	Agreed	18/07/24	<p>23/07/24: WSCC is satisfied that the LVIA has considered a worst-case scenario for the duration of construction related impacts and therefore this position is agreed</p> <p>WSCC welcome the updates to ES Chapter 2 [REP5-034] and corresponding ES appendices 18.3 (Landscape Assessment) and 18.4 (Visual Assessment).</p> <p>WSCC would highlight that owing to a lack of certainty over phasing and exclusions contained within commitment C-103, the ExA must assume large extents of the cable route may not be reinstated until the full completion of construction.</p> <p>WSCC would also highlight that concerns remain over the potential for additional vegetation losses to arise as part of detailed access designs (both at access points and the routes thereto), albeit, it is accepted that such coppicing/losses would be minimised and/or reinstated where possible, would require the approval of the relevant planning authority as part of DCO Requirements 22 (Code of Construction Practice) and 40 (Vegetation Retention and Removal), and S106 fund to mitigate impacts for highways receptors through vegetation enhancement is proposed.</p> <p>WSCC also note that significant landscape and visual impacts will occur (as concluded by the ES) that the ExA will need to consider as part of the planning balance.</p> <p>25/06/2024: In terms of compensation for perceived residual impacts on landscape from construction - the Applicant seeks this matter to move from red to green based on S106 discussions with WSCC and the SDNPA. Compensation for landscape impacts within the SDNPA benefits WSCC as well.</p> <p>In terms of methodology WSCC appreciates the work that has, and continues to be, undertaken by the Applicant to demonstrate that a worst-case duration of landscape and visual impacts during construction has been considered. WSCC acknowledge that this is progressing towards green however, still need to review any final submitted documents (it is noted that the</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
		construction activities is required.	<i>be excavated, the cable ducts will be laid, the trenches back-filled and the reinstatement process commenced in as short a timeframe as practicable) of the Commitments Register [REP4-057]. Details of how this will be secured are set out in WSCC 03.</i>			<p>Applicant is seeking for these to be issued in draft for preview ahead of DL5 when they will be formally submitted into the examination).</p> <p>WSCC noted concerns over the extent to which the Assessment has considered hedgerows that may be coppiced (as not currently identified on VRPs).</p> <p>WSCC will continue to provide detailed comments on updated submissions and control documents with a view to ensuring that landscape and visual impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for landscape and visual impacts for PROW and highways users.</p> <p>WSCC note that significant landscape and visual impacts will occur (as concluded by the ES) that the ExA will need to consider as part of the planning balance.</p> <p>30/05/24: WSCC will review Deadline 4 submissions and comment on the status of this.</p> <p>Applicant Response 22/05/24 – noted and text amended to address the specific feedback provided by WSCC. The assessment assumes a ‘worst case’ that all elements of the construction will occur for the whole of the construction period. All text eluding to phasing and duration has been provided its own separate section rather than mixing it in with the text. The Applicant has corrected a matter of unclear communication.</p> <p>WSCC 07/03/2024 —This answer seems contradictory. The worst case is that progressive reinstatement is not possible for many elements of the cable route (haul roads, compounds, accesses – see Commitment C-103 which excludes these elements of the works from reinstatement within 2 years). The assessments (e.g. Appx 18.2, Appx 18.4, RVAA) are seemingly predicated on progressive reinstatement being possible, Applicant Response 22/05/24 – noted Appendices 18.2 to 18.5 amended.</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
						It is not clear how DCO R10 will give any greater clarity on this matter, Applicant Response 22/05/24 – WSCC 03 amended.
WSCC17	LVIA Viewpoint locations	<p>Concerns</p> <p>Viewpoint locations (and associated visualisations) at Oakendene substation, cable route and compounds are lacking, and/or not representative of worst-case impacts.</p> <p>The LVIA places a heavy reliance on the specific viewpoint locations assessed, and chosen locations underplay and/or underestimate the magnitude of impacts. Given this will be the only visible permanent onshore structure, a greater number of viewpoint locations is warranted.</p> <p>There is also a need to reconsider viewpoint locations in light of the latest substation footprint/design. It is also not clear how the full extent of visual receptors likely to be affected have been considered – limited commentary provided on how all wider receptors have been assessed.</p> <p>Desired Actions</p> <p>Further viewpoints should be considered (and visualisations provided where appropriate). E.g., at the substation, this should include Footpath 1787, the A272 looking directly south</p>	<p>The Applicant does not accept that the locations are lacking or that they are not representative of the realistic worse-case impacts.</p> <p>The Applicant does not accept that there is “too strong a reliance on specific selected viewpoint locations”.</p> <p>The viewpoints and visualisations illustrate the range of likely effects reported and help to define and focus the study area and likely levels of effect. The viewpoint assessment is provided in Appendix 18.2: Visual assessment, Volume 4 [APP-168] with a summary in Tables 1.1-3. The LVIA provides a full assessment of visual receptors in Appendix 18.4: Visual Assessment, Volume 4 [APP-170]. For example, the LVIA assesses the visual effects on all PRoW crossing the onshore cable corridor and / or located within 1km of the onshore cable corridor, overlapped by the ZTV. Viewpoints are referred to where relevant, but the assessment of each PRoW draws on desk and site-based study, specific to each receptor and records a sequential assessment of the visual effects along the effected part of each route. There are over 100 PRoW, and it would not be practical or proportionate to provide a viewpoint for each PRoW.</p> <p>The LVIA study area for the Oakendene substation has been subject to detailed desk and site-based assessment as well as consultation on viewpoint location. The site is well screened by existing mature vegetation and the design process focuses on protecting and enhancing this existing screening. The assessment includes eight viewpoints (three of which were dropped due to high levels of vegetation screening).</p> <ul style="list-style-type: none"> Footpath 1787 – A representative viewpoint is provided by SA3, and the PRoW 1786 assessment covers the route between Kent Street and the A272, although it is acknowledged that part of this could be interpreted as PRoW 	Agreed	25/06/2024	<p>25/06/2024: This matter is agreed with WSCC.</p> <p>WSCC welcome the work on photomontages and consideration of additional viewpoints that are now considered more reflective of likely impacts (including significant impacts).</p> <p>It was discussed that footpath 1786 west of industrial estate not provided by the Applicant – but the effect has been assessed and covered by another viewpoint. The Applicant also confirmed the access to Oakendene West compound has been assessed in high level of detail – confirming that the VRP presents the accurate worst case (which is relatively minimal hedgerow removal). Nonetheless assessed as significant.</p> <p>WSCC confirm they are happy that methodology concerns about reliance on specific viewpoint locations has been addressed.</p> <p>WSCC will continue to provide detailed comments on updated submissions and control documents with a view to ensuring that landscape and visual impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for landscape and visual impacts for PROW and Highways users.</p> <p>30/05/24: WSCC will review Deadline 4 submissions and comment on the status of this. Further Expert to Expert call to be set up</p> <p>Applicant Response 22/05/24 – The Applicant has gone through viewpoints in detail at LVIA Expert to Expert meetings (both for viewpoints within the National Park and for viewpoints outside the National Park. Actions to take forward errata and complete viewpoint photography in the vicinity of the Oakendene substation have been completed and photomontages are to be formally submitted at DL4.</p> <p>WSCC - Gap in hedgerow on east west section of PROW needed.</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
		<p>at newly-created access point, Footpath 1786 south of Oakendene Manor (north of pond), and Footpath 1786 west of industrial estate.</p>	<p>1787 (which is either outwith the ZTV or beyond Taintfield Wood). Notwithstanding the view from PRow 1787 at the gap in the hedge has been recorded and a photomontage has been produced and has been submitted for Deadline 4.</p> <ul style="list-style-type: none"> • A272 at new access – A viewpoint was considered at this location, but safety concerns precluded this location. Viewpoint SA2 was provided as an alternative. Significant effects from along the A272 are reported in the LVIA and the design principles in the Design and Access Statement [AS-003] and Outline Landscape Ecology Management Plan [REP4-047] include mitigation. The outline layout design shows a curved approach road to the substation, so that direct views can be screened by landscaping. The view from the A272, just inside the hedgerow to avoid safety concerns, has been recorded to inform the ILP and DAS. A photomontage has been produced and submitted for Deadline 4 • Footpath 1786 south of Oakendene Manor – A representative viewpoint is provided at SA3. Although a further viewpoint could have been provided as suggested it is not considered by the Applicant to be proportionate nor would it add additional information which is not otherwise included in the LVIA. Significant effects from along the route are reported in the LVIA and the Outline Landscape Ecology Management Plan [REP4-047] includes partial mitigation. Notwithstanding the view from PRow 1786 has been recorded and a photomontage has been produced and submitted for Deadline 4. • Footpath 1786 west of Industrial estate – As above, significant effects from receptors along this route as well as from the A272 and the residential property are included in the LVIA. • Additional photography has been recorded at Oakendene and additional photomontages have been produced and submitted for Deadline 4. 			<p>Applicant Response 22/05/24 – noted photomontage to be submitted for Deadline 4.</p> <p>SA2 not a good alternative. Visualisation needed at this point to inform DAS. This VP better represents Oakendene Manor and the PROW, and a visualisation would help inform DAS design principles/landscaping.</p> <p>Applicant Response 22/05/24 – noted photomontage to be submitted for Deadline 4.</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
			There is a practical difficulty in positioning viewpoints too close to a development to the extent that they cannot be viewed in their landscape context and the whole of the image would be taken up by a close-range image of development which cannot be modelled at a detailed level and would extend beyond the confines of the image. Receptors this close to development obviously have a high magnitude of change and that is reported in the LVIA where this occurs. Viewpoints at further distance are considered more useful in that they help to define the outer geographical extent of significant effects.			
WSCC18	LVIA Requirement of a full assessment of landscape visual receptors impacted.	There is a need to provide a full assessment/quantification of all landscape visual receptors impacted which will be wide ranging as indicated by Zones of Theoretical Visibility (ZTVs), and to recognise that selected viewpoints are only indicative of impacts for a limited proportion of receptors affected.	The LVIA in Chapter 18: Landscape and visual assessment, Volume 2 [APP-059] provides a full assessment of landscape and visual receptors if read as a whole with all of the Appendices (Appendix 18.1 Landscape and visual impact assessment methodology, Volume 4 [APP-167] to Appendix 18.6: Viewpoint directory, Volume 4 [APP-172]). This is regardless of whether there is a viewpoint to illustrate this or not, i.e., the Applicant has not limited the LVIA to only those receptors at the viewpoints.	Agreed	25/06/24	25/06/2024: This matter is agreed . WSCC consider that whilst some individual receptors will not be captured by the assessment that the Applicant's methodology is proportionate and accepted. 30/05/24: WSCC will review Deadline 4 submissions and comment on the status of this.
WSCC19	LVIA Concerns about the methods, scope and scale of assessment in the Residential Visual Amenity Assessment (RVAA).	Concerns The RVAA is not fit for purpose, with an unclear methodology and conclusions drawn which lack objectivity. Recognises that it is possible that other residential properties not included in the RVAA may be significantly affected but has only considered those 'most affected' – Contrary to that suggested this is not consideration of a 'worst case' scenario. Concern about lack of views from	The methodology for RVAA accords with the advice in the Landscape Institute's Residential Visual Amenity Assessment Technical Note 2/19, 15 March 2019. WSCC is referred to the full text of the RVAA in Appendix 18.5: Residential Visual Amenity Assessment, Volume 4 [APP-171] including Annex A . The RVAA (Stage 1) identifies those properties which are likely to be significantly affected and subjects these to RVAA (Stage 2) which is summarised in Table 1-2 and detailed for each property in Annex A of Appendix 18.5: Residential Visual Amenity Assessment, Volume 4 of the ES [APP-171] . By assessing those properties which	Agreed	18/07/24	23/07/24: WSCC note an updated RVAA has been provided, presenting a clearer methodology better aligned to the relevant technical guidance, this matter is therefore agreed WSCC would highlight that whilst Residential Amenity Thresholds have not been exceeded, that this is a subjective judgment, and that there would nonetheless be an inevitable negative impact upon the visual amenities of some properties (particularly during construction). 25/06/2024: WSCC acknowledge that this is progressing towards green however, still need to review any final submitted RVAA (it is noted that the Applicant has provided a draft for preview ahead of DL5, when this will be formally submitted into the examination).

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
		<p>upper floors, and not clear how conclusions of RVAA (in terms of the magnitude of visual impacts) has been factored into the LVIA. Impacts on visual receptors underplayed.</p> <p>Desired Actions</p> <p>Engagement with WSCC is needed on the scope of the RVAA to understand the rationale of all properties potentially affected and rationale for those selected and those omitted. The LVIA needs to consider all visual receptors and consider key findings of RVAA in terms of the potential visual impacts. Review and reconsider the impacts on settlements, with clear definitions and consideration of the findings of the RVAA.</p>	<p>are 'most affected' or closest to the onshore cable corridor the RVAA has included the 'worst case'. If these properties are assessed as not breaching the residential visual amenity threshold, it can be reasonably assumed that properties less affected or further distance from the onshore cable corridor would not breach that threshold either. This approach has been used for the RVAA for numerous other planning applications and has been subjected to Public Inquiry. Further the RVAA makes a clear distinction between visual effects (Stage 1) and effects on residential visual amenity (Stage 2).</p> <p>Table 1-1 of the RVAA (Appendix 18.5: Residential Visual Amenity Assessment, Volume 4 [APP-171]) provides information / rational for how residential properties were selected for RVAA and included in the RVAA. This has allowed a proportionate approach which takes account of the main living rooms and garden areas within each residential property included in the RVAA.</p> <p>The settlement assessment in Appendix 18.4: Visual Assessment, Volume 4 of the ES [APP-170] also refers to the RVAA.</p> <p>The Applicant will set up a specific engagement session with WSCC on this point as per the stakeholder's request.</p>			<p>From an initial review of the revised draft RVAA, WSCC acknowledge that the methodology appears much clearer. Informal comments regarding matters of clarity were communicated to the Applicant for consideration WSCC will provide formal comments upon submission to the examination.</p> <p>WSCC note that whilst RVAA methodologies are heading in the right direction, final conclusions are a subjective matter for which WSCC will provide comments upon submission to the examination</p> <p>Applicant Response 22/05/24 – noted. Answers to the comments above have been provided in column 4. The RVAA Appendix 18.4 to be amended to provided further assessment and information including progressive restoration / duration.</p> <p>WSCC 07/03/2024 — Lacking objectivity and methodology adopted for coming to Residential visual amenity conclusions. Blanket conclusion of “development will not compromise the residential visual amenity, affect living standards, or render the residential property an unattractive place to live when judged objectively and in the public interest”.</p> <p>Often refers to 3-4 months and progressive restoration which is not the worst case.</p> <p>GLVIA guidance says must be objective, and that upper windows and individual visits to properties may be warranted.</p> <p>There is a mention that an RVAA has been done in the LVIA, however, it is unclear how the Stage 1 of the RVAA (visual affects many of which are significant) has been incorporated and assessed. These are still receptors.</p>
WSCC20	LVIA	<p>Concerns</p> <p>Lack of detail/clarity in the Design and Access Statement.</p>	<p>The Indicative Landscape Design for the Oakendene Substation and its design principles are set out in the Design and Access Statement [AS-003] and further expanded on in the Outline</p>	Agreed	18/07/24	<p>23/07/24: WSCC is satisfied that the DAS sets out clear design principles, and in general terms presents a strategy that seeks to minimise landscape and visual impacts. This matter is therefore agreed.</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
	Design and Access Statement – design principles.	<p>At present design principles (which it is assumed will be tied to detailed design and ‘requirements’) are not presented in a clear manner relevant to each topic, or confusingly overlap. No engagement on these principles has been undertaken or clarity on any independent design review. Design elements within the outline landscape plan need securing and further developing.</p> <p>Desired Actions</p> <p>A clear and consolidated table of design principles should be provided, ordered by topic as relevant, including more site-specific elements. As well as engagement on these principles, with a clear understanding of how independent design review has fed into the process.</p>	<p>Landscape Ecology Management Plan [REP4-047].</p> <p>The landscape design work was undertaken by chartered landscape architects in conjunction with the wider EIA Team. Opportunity for further design review will emerge through the DCO process. Design elements within the LEMP will be secured and developed through Requirements 12-13 of the draft Development Consent Order (DCO) [REP4-004] and Commitment C-196 of the Commitments Register [REP4-057]. Further, the Design principles identified in the Design and Access Statement [AS-003] are expanded on in the Outline Landscape Ecology Management Plan [REP4-047] and the design will be developed further as the design process matures in the stage specific LEMP as noted above. The DCO Requirement 12 ensures that a Landscape and Ecological Management Plan and a Code of Construction Practice are provided for agreement with the relevant planning authority and Natural England. Requirement 13 of the draft Development Consent Order (DCO) [REP4-004] ensures that the Landscape and Ecological Management Plan is delivered as agreed, whilst Requirement 14 secures the agreement and implementation of a BNG strategy.</p> <p>Notwithstanding the above it is agreed that a consolidated table of design principles can be provided to draw all of this into one place – it could be ordered by topic or phase etc. This revised 5.8 Design and Access Statement (Rev B) [REP3-013] has since been submitted to the examination at Deadline 3.</p>			<p>25/06/2024: WSCC welcomes updates made to the DAS and consider that design principles are now presented sufficiently clearly, which will be of benefit to the relevant discharging authority.</p> <p>Regarding detailed design elements (including the landscape plan) in general WSCC welcome updates made to the DAS at DL3 (including on advance planting matters), however, will continue to provide detailed comments on any updated DAS submission with a view to ensuring that landscape and visual impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for landscape and visual impacts. In this regard WSCC would wish for detailed comments on the DAS raised at DL4 [REP4-086] to be addressed.</p> <p>There followed a discussion of some key outstanding concerns as follows:</p> <p>Ground levels– note that on ground levels no import or export of materials is assumed and therefore are concerned that LVIA has not taken this into account. Have the visualisations taken into account max AOD? The Applicant confirmed they are not ‘surveyed photomontages’ in addition there is tree cover shielding existing site from viewpoints – this disclaimer is there on viewpoints. The baseline level of tree cover is helping hide the substation. Same methodology as applied to other DCO applications – same standard of visualisations therefore do not accept there is any issue with them. 16.25m AOD is a fixed parameter in the DCO – this should alleviate the WSCC concern on site levels. Cut and fill has been considered – but you won’t see this in the photomontages because of the existing vegetation shielding the views.</p> <p>ii) Close boarded fencing during construction – is this specified in the OCOCP? Applicant confirmed yes. The fencing is a mitigation to shield views of the construction works.</p> <p>iii) Native woodland planting east of the substation site appears narrower in revised DAS.</p>

Reference number	Point of Discussion	WSCC'S position	Applicants position	Current Status	Date of agreement	Record of Progress
						<p>iv) VRP Kent street clearance to 20m is of concern for screening. Applicant has confirmed this is on the other side of Kent Street therefore LVIA not impacted</p> <p>30/05/24: WSCC provided feedback on updated DAS (Deadline 3) at DL4. To be discussed further at page turn May 24.</p> <p>Update 04/24: revised 5.8 Design and Access Statement (Rev B) [REP3-013] has been submitted to the examination.</p> <p>WSCC 07/03/2024 — WSCC provides more specific detail in the LIR.</p>

Table 3-7 Status of discussions related to Socio-Economics

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC21	Local economic impact of the Project during construction.	<p>Concerns</p> <p>Lack of clarity on how the limited local economic impact of the Project during construction is being addressed.</p> <p>Concerns have been highlighted on the low local economic impact during construction phase. The submission acknowledges consideration of the issue further without clarifying how and when this will occur.</p> <p>Desired Actions</p> <p>The Applicant should clarify what work has been undertaken or is ongoing or planned to address this issue, including any findings or outcomes as relevant.</p>	<p>The Applicant acknowledges that the number of local jobs during the construction phase is low in EIA terms. However, there are several important points to note:</p> <ul style="list-style-type: none"> The 80 full time equivalent (FTE) construction phase jobs quantified in Chapter 17 Socio-economics of the ES [APP-058] are based on the annual number of jobs supported with suppliers in Sussex or accessed by local residents. This therefore does not include non-Sussex resident construction workers. The Applicant notes that the actual number of peak jobs onsite will be higher than this due to the inclusion of non-local jobs and the variations in construction activity across the construction phase. The assessment is based on a realistic worst case scenario. This uses conservative assumptions about the level of local sourcing and assumes that the port used for construction will be outside the local study area. <p>Operational employment benefits of 100-110 FTE jobs across Sussex are consistent with offshore wind farms so the Applicant disagrees that this represents a low number of skilled jobs. It should be noted, however, that these jobs are more likely to be accessed by residents of districts closer to the O&M base (which is likely to be located in Newhaven, East Suffolk).</p> <p>Local authority priorities had been considered in the Outline Skills and Employment Plan [PEPD-037] (OSES) following consultation. The Applicant notes that positive activity and engagement that takes place due to the OSES and subsequent Skills and Employment Strategy (SES) will help to increase the local benefits as the Project may be able to achieve more local employment due to the commitments outlined in the plan.</p>	Not agreed-Material Impact	27/06/24	<p>27/06/24: This matter is not agreed with WSCC. Applicant's DL4 response indicates that details of commitments to maximise employment and skills benefits will be developed through the production of the OSES post-consent. It also amended Requirement 33 of the draft DCO by the Applicant to require that the OSES must be approved by WSCC before onshore works starts, which is welcomed by WSCC, comment is included by WSCC with regards to the dDCO Requirement 33, that this Requirement should be discharged before on and offshore works should commence.</p> <p>WSCC indicates in its DL5 response that its concerns remain that commitments ensuring that local residents and businesses can benefit from the project are still unclear. The level of detail provided in the draft OSES does not provide sufficient reassurance to WSCC. More detail is requested in the draft OSES.</p> <p>In specific regard to local impact study areas, WSCC indicates in its DL5 response that it considers that further work should have been undertaken to understand local level impacts, even if qualitatively.</p> <p>10/05/24 WSCC requested an Expert-to-Expert Discussion between the socio-economic counterparts. This took place on 28th March 2024. The following points were discussed at the Expert-to-Expert socio-economic discussion:</p> <ul style="list-style-type: none"> -The Applicant provided an overview of the purpose of the OSES. The Applicant noted this is an evolving document with further detail to be provided following the examination period in the form of a SES. The Applicant also noted local authority priorities had been considered in the OSES following consultation. -WSCC reiterated that in their view the scale of impact is a missed opportunity regarding socio-economic benefits to West Sussex and outlined that the creation of 80 jobs within the region was not a significant benefit. WSCC highlighted that the creation of these jobs as a result of the Proposed Development was not certain and therefore could not be relied upon as a benefit.

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>The Applicant would provide further detail on the SES following Consent. Requirement 33 of the draft Development Consent Order [REP4-006] has been updated at Deadline 4. It now provides for approval of the Skills and Employment Strategy by WSCC in consultation with the relevant planning authorities.</p> <p>The Applicant requests that WSCC is present at discussions regarding the OSES and have input when drafting the SES. The Applicant can confirm that WSCC will be consulted during the production of future iterations of the OSES. The Applicant plans to complete the ongoing consultation through Expert-to-Expert meetings prior to further iterations of the OSES.</p>			<p>-The Applicant requested that WSCC are present at discussions regarding the OSES and have input when drafting the SES. The Applicant confirmed WSCC would be consulted during the production of future iterations of the OSES and confirmed RED plan to complete the ongoing consultation through Expert-to-Expert meetings prior to further iterations of the OSES.</p> <p>- Until further detail is provided surrounding the skills and employment strategy WSCC could not change their position on WSCC19.</p> <p>- WSCC requested further information on whether additional detail would be provided in the next revision of the OSES. However, the Applicant is not in a position to provide further information at this stage and confirmed further information would be provided following the examination period.</p> <p>WSCC 07/03/2024 — WSCC considers the low economic impact arising from the Project on West Sussex itself as a negative. This is in view of the low level of supply chain expenditure and lack of employment generation expected to occur in West Sussex that could benefit its local businesses and residents.</p> <p>In respect of the OSEP, whilst WSCC welcome the further consultation undertaken to inform the updated strategy submitted to the ExA, this makes no mention of continued engagement or the route map to develop the OSEP further. This includes the skills programmes and initiatives that would help increase the local benefits referenced.</p>
WSCC22	Concerns about the approach to the methodology	<p>Concerns</p> <p>More clarity is requested on aspects of the assessment methodology, including:</p> <ul style="list-style-type: none"> • Selection of Sussex as a receptor area for economy and impact on volume and value of tourism economy; 	<p>The Applicant notes that, through the scoping phase and evidence plan process, Sussex was agreed as an appropriate study area for effects on the economy and on volume and value of tourism because of the scale over which tourism impacts could occur:</p> <ul style="list-style-type: none"> • Coastal districts in Sussex with potential visual impacts from offshore infrastructure – (City of Brighton and Hove, Lewes, Wealden, 	Not agreed-Material Impact	27/06/24	03/07/24: This matter is not agreed with WSCC. The Applicant provided a further response to the methodological points of disagreement in its DL4 submission. Specifically, this explains that assessing impacts at a local scale was not undertaken due to uncertainties, which its response does not elaborate upon. WSCC has replied in its DL5 response that a proportionate, qualitative, assessment could still have been undertaken if such uncertainties did not permit a more in-depth and/or quantitative assessment.

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
		<ul style="list-style-type: none"> • Uncertainty over population estimates data; • Implications over data limitations across the assessment; • The implications of not considering induced impacts in respect of economic effects are not explained and is unclear as this is not stated as a limitation; and • Reference to Project impacts and construction methods within the description of the baseline. 	<p>Eastbourne, Worthing, Arun, Adur and Chichester); and</p> <ul style="list-style-type: none"> • Districts onshore infrastructure proposed (Arun, Horsham, Mid Sussex) as well as the South Downs National Park. <p>To address concerns about more localised impacts raised following PEIR consultation feedback, the ES assessment sought to provide a more detailed assessment on coastal areas and areas in close proximity to the onshore cable infrastructure. This included consideration of areas of potentially higher sensitivity/impact. The local sensitivities were therefore considered in the assessment. Given the evidence base and local characteristics, the Applicant notes that the assessment findings would not change if the whole assessment on value and volume of tourism was conducted at a more granular local authority district level.</p>			<p>WSCC does not agree with the Applicant's response that the assessment findings would not change if the assessment was undertaken at a local authority level. This is more of an optimistic response rather than taking a worse case approach given the Applicant has not undertaken any assessment at the local authority level to justify their response.</p> <p>Noting the Applicant's point regarding Sussex being agreed as an appropriate study area, WSCC confirm that this was never agreed.</p> <p>Both parties acknowledge that disagreement about the methodology will remain unresolved.</p> <p>10/05/24 The following points were discussed at the Expert-to-Expert socio-economic discussion:</p> <ul style="list-style-type: none"> - WSCC noted that further information would have been appreciated within the socioeconomics assessment of effects. - The Applicant requested further clarity on the lack of information and whether this was due to the assessment being undertaken at a macro level rather than a micro level. - WSCC confirmed this and noted that while the methodology and approach to assessment is understood that grouping of receptors in this way could lead to missed impacts. -The Applicant asked whether this was a confirmed area of disagreement as no further socioeconomic assessment is proposed. WSCC confirmed that this is an area of disagreement. The Applicant requested detail on the materiality of this disagreement. WSCC clarified that they believe significant adverse effects should have been identified and therefore WSCC20 is a material disagreement. <p>WSCC 07/03/2024 — The clarifications in respect of population estimates, data limitations and implications of not considering induced impacts are noted.</p> <p>Both generally and specifically in respect of the selection of Sussex as a receptor area in respect of WSCC highlighted in its scoping opinion response and reiterated in its statutory consultation response that it expected consultation through the project development</p>

Desired Actions

The Applicant should provide clarifications in respect of these aspects of the assessment methodology, so these are clearly understood when the assessment is interpreted. In respect of induced impacts, an assessment of these should be provided. The Applicant should refer to impacts and construction methods used in relation to resources and receptors within the Assessment of Effects, rather than baseline conditions.

The Applicant notes that 2020 population estimates were presented in **Chapter 17 Socio-economics, Volume 2** of the ES [APP-058]. This is because, at the time the chapter was produced, more recent data was not yet available in the detail that was required (at the local / county district level). The Applicant has reviewed the latest data for 2022 based on the ONS Mid-Year Population Estimates. The latest data shows that in 2022 Sussex had a population of 1.7 million, 1.03 million of whom are of working age (i.e., aged 16-64). This is only slightly different to the data for 2020 presented in **Chapter 17: Socio-economics, Volume 2** of the ES [APP-058] (1.73 million and 1.03 million respectively).

Changes in demographics are not considered as a socio-economic effect in the ES (as they were scoped out in the scoping report) and therefore this data was presented as wider contextual baseline data rather than data that is specifically used in the assessment of a change on baseline conditions.

Whilst it is acknowledged that more recent data is now available the inclusion of more recent data

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			<p>available would not materially alter the findings of the assessment.</p> <p>The Applicant can confirm that none of the baseline conditions data limitations noted in Section 17.5 of Chapter 17 Socio-economics of the ES [APP-058], would have a material effect on the assessment. These data limitations increase the uncertainty when assessing and quantifying impacts, but not to the extent that they would affect the significance conclusions. For example, the gaps in literature related to tourism impacts relates to a lack of ex post studies. Despite this the literature has strengthened over time. This has improved the confidence and robustness of tourism assessment findings related to offshore wind farms.</p> <p>As noted in paragraph 17.8.5 of Chapter 17 Socio-economics, Volume 2 of the ES [APP-058] <i>“the socio-economic assessment excludes the induced impacts generated by Rampion 2 across all phases, as these are typically affected by greater uncertainty and are more difficult to measure and defend robustly in terms of their scale and additionality.”</i> This follows approaches taken on other offshore wind projects. This assessment approach was taken to ensure that the economic effects were robust and not overstated. The implications of excluding this is that there are further employee expenditure related economic benefits that the assessment has not quantified. Based on the Applicants knowledge of economic multipliers and the scale of employment of Rampion 2 the inclusion of induced effects would be similar but lower than the indirect effects and would not materially impact on the magnitude of impact assessment for jobs and Gross Value Added (GVA).</p> <p>The baseline analysis presents a review of the existing baseline without the project in place. However, reference to the project is used to help put the baseline assets in to the context of the Project infrastructure, especially with regard to the Study Areas over which baseline information is presented, which varies by impact.</p>			<p>stages on ways to maximise the community benefits to West Sussex. It requested benefits to be targeted to West Sussex, which experience a greater degree/duration of impacts (e.g., permanent electrical infrastructure, at the substation area, key tourist/recreational locations with affected views). This was in light of experience from Rampion 1. WSCC's position remains that the assessment methodology followed in the ES does not address this concern. Further details regarding how the Project will ensure that benefits will be targeted to West Sussex are requested.</p> <p>The data limitation in respect of the tourism effects assessment, the lack of ex-ante post evidence remains a key concern of WSCC. WSCC considers that such evidence would have a potentially important bearing on assessment findings as it would more conclusively demonstrate whether visitors are deterred from locations of infrastructure of this scale, and the loss of any income and the jobs this supports. This is particularly important given that no local primary research has been undertaken into potential impacts on holiday/short-break planning by visitors. WSCC would be open to discussion with the Applicant on measures to offset impacts and provide a boost to the tourism sector to ensure that negative effects are avoided and a boost to the tourism sector can be realised.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC23	Measures and commitments that would support a boost to the tourism sector during operation and maintenance.	<p>Concerns</p> <p>No identification of measures and commitments that would support a boost to the tourism sector. There is a lack of assertion within the assessment of potential impacts on the perception of Sussex as a place to visit beyond visitor trend analysis for Brighton and Hove which may be influenced by other unrelated factors.</p> <p>Desired Actions</p> <p>The tourism sector is a priority in economy plans across Sussex. The Applicant should identify measures and commitments that would support a boost to the tourism sector during operation.</p>	<p>WSCC and the Applicant have discussed the assessment methodology further and are not able to reach an agreement. WSCC consider this a material disagreement as they consider that the economic effects would be significant adverse.</p> <p>Given that the assessment presented in Chapter 17: Socio-economics, Volume 2 of the ES [APP-058] does not find a significant effect on tourism the Applicant is not required to provide additional measures and commitments that would support a boost to tourism. This would only be provided where significant effects have been identified. Any measures to boost the tourism sector would therefore need to be agreed outside the planning process.</p> <p>Primary survey research on socio-economics effects on visitors has not been undertaken, with the method for the assessment including the spatial focus for impact at the level of Sussex confirmed at the scoping stage. Methodological issues with the use of ex-ante survey evidence include:</p> <ul style="list-style-type: none"> reliance on the perceptions of respondents, for example, when any changes in conditions which might result from a project are dependent on the use of images or descriptions, and the quality of those images/descriptions; risks of bias, either respondent bias or survey bias. For example, respondents may give answers which reflect strongly held views about an issue, or which they think align with social norms regardless of their views. Achieving random sampling in a large-scale survey is challenging, risking evidence that is not representative of a population. <p>Notwithstanding these methodological issues, primary visitor surveys, which would feed into ex-ante assessments of potential socio-economic effects, would have had to be carried out across the entire impact area at a substantial number of</p>	Not agreed- Material Impact	27/06/24	<p>27/06/24: This matter is not agreed. The Applicant provided a further response to the points of disagreement in its DL4 submission. The Applicant's response does not resolve these concerns and there remain a number of matters within the assessment methodology that WSCC fundamentally do not agree with. WSCC has restated this in its DL5 response.</p> <p>WSCC does not consider the primary research cited to assist it in considering that measures and commitments are not required to mitigate impacts.</p> <p>Both parties acknowledge that disagreement about the methodology will remain unresolved.</p> <p>10/05/24 The following points were discussed at the Expert-to-Expert socio-economic discussion on 28th March 2024.</p> <p>-The Applicant noted that WSCC21 focusses on the lack of proposed mitigation. The Applicant explained this is due to the lack of significant effects identified in the assessment within the Environmental Statement. Therefore, no mitigation measures are required.</p> <p>-WSCC believes there are significant adverse effects. WSCC highlighted a lack of primary research undertaken to support the assessment and noted the existing evidence base appears to be skewed towards the benefits of offshore wind farms. WSCC advised that primary research should have been undertaken such as surveys to gauge the level of impact.</p> <p>-The socio-economics assessors noted that primary surveys of visitors relating to socio-economics effects had not been undertaken.</p> <p>- The Applicant confirmed primary research in the form of public perception surveys had been undertaken by an independent party and results showed in excess of 80% of respondents felt positively about the presence of offshore wind farms. The Applicant noted this research was not submitted with the application</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>individual locations and at many different points in time over an extended period to generate statistically sound data. In some areas of Sussex, the challenge would be amplified by the presence of Rampion I, an existing offshore windfarm which would certainly influence survey responses and for which it would be difficult to establish the difference an expanded OWF area would make.</p> <p>The Applicant had undertaken primary research in the form of a resident public perception survey has been undertaken by an independent party and results showed in excess of 80% of respondents felt positively about the presence of offshore wind farms, this is in line with the national public opinion surveys undertaken by the Government presented in the Chapter 17: Socio-economics, Volume 2 of the ES [APP-058]. This does however not relate to visitors of the area.</p> <p>The Applicant also notes that a South Downs National Park Visitor Survey provides evidence that Rampion 1 is not a deterrent to people visiting the national park. This survey received 2,239 responses. It included two questions which are particularly relevant</p> <ol style="list-style-type: none"> 1. "What factors contributed to your enjoyment of your visit to this part of the South Downs National Park today?". 65% of respondents said, "scenic landscape and/or breathtaking views" which was the second most popular answer after 'enjoying the fresh air'. 2. An open question which asked "What, if anything, do you feel would have made your visit today more enjoyable?". Appendix A of the SDNP survey provides the verbatim responses to this question. There are a very wide range of responses including references to the weather, car parking and other issues, but no reference to wind turbines (one person mentioned pylons but not turbines). <p>No visitors in 2,239 responses raised the issue of wind turbines, despite these being a prominent</p>			<p>documents and asked whether WSCC would like to see these studies.</p> <p>-WSCC agreed this would be beneficial for the council to review. WSCC stated that they will review the primary research report and WSCC21 would remain under discussion.</p> <p>WSCC 07/03/2024 – WSCC disagree with the Applicant's assessment that there will be no significant effect on tourism. WSCC would be open to discussion with the Applicant on measures to offset impacts and provide a boost to the tourism sector.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>feature of the seascape. The implication is that Rampion 1 had not significantly detracted from people's enjoyment of the scenic landscape and/or views.</p> <p>The Applicant does not propose to undertake further survey research.</p>			
WSCC24	Concerns about Outline Skills and Employment Strategy (OSES)	<p>Concerns</p> <p>The OSES lacks detail with regards to existing skills gaps and current levels of provision. Baseline data included has no source/year. OSES also lacks detail on potential initiatives which are directly aligned with local specific issues and need. It provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO versus provision and outputs offered in a 'business as usual' scenario. It does not demonstrate net additional benefit.</p> <p>Desired Actions</p> <p>The Applicant should provide an up-to-date baseline with all sources referenced. Provide details of existing skills gaps and current support provision from a skills and employment perspective. Also provide further detail on specific initiatives which are tailored to local issues and need. A route map in terms of how the Applicant intends to develop the OSES should be provided.</p>	<p>The OSES [PEPD-037] was intentionally high-level and the Applicant was not in a position to document concrete commitments without further consultation with key skills & employment stakeholder organisations in Sussex. The first tranche of consultation took place between July and October 2023, the results of which have fed into the second iteration of the OSES, submitted to the ExA in January 2024.</p> <p>The OSES considers the existing need and recent baseline data as a result of engagement undertaken with stakeholders. The existing strategies within the region were identified as well as the reasons for their existence, providing an understanding of need within the area. Skill gaps and existing initiatives are identified within the document as a result of consultation meetings. An up-to-date baseline and details of existing skills gap will be included in the finalised SES. The concerns raised by WSCC will be reviewed and considered for the next revision of the OSES, which is to be completed after consent.</p> <p>Requirement 33 of the draft Development Consent Order [REP4-006] has been updated at Deadline 4. It now provides for approval of the Skills and Employment Strategy by WSCC in consultation with the relevant planning authorities. This can give confidence to WSCC that the SES will provide the requested detail.</p>	Not agreed: No Material Impact	04/07/24	<p>04/07/24 This matter is not agreed. The level of detail provided in the draft OSES does not provide sufficient reassurance to WSCC. More detail is requested in the Outline OSES.</p> <p>18/6/24 With the SES now subject to LA approval, this topic is considered capable of agreement. On this basis the Applicant proposes this moves from yellow to green.</p> <p>10/05/24 The following points were discussed at the Expert-to-Expert socio-economic discussion:</p> <ul style="list-style-type: none"> -The Applicant noted the request for an up-to-date baseline and details of existing skills gap. The Applicant confirmed this would be included in the finalised SES. -WSCC explained their position is due to a lack of detail in the existing SES and highlighted the OSES should address needs within the community, which it currently does not. WSCC noted that without a clear identification of need it is difficult to understand whether the strategy addresses the issues it should. -The Applicant confirmed the OSES considers the existing need and recent baseline data as a result of engagement undertaken with stakeholders. The Applicant outlined that existing strategies within the region were identified as well as the reasons for their existence, providing an understanding of need within the area. -WSCC commented that this is not articulated within the existing OSES. -The Applicant confirmed skill gaps and existing initiatives are identified within the document as a result of consultation meetings and noted that this information is presented in Table 5.1 of the OSES.

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
						<p>-WSCC explained there is no context provided in the OSES therefore the OSES lacks a narrative explaining the identification of need.</p> <p>-The Applicant confirmed this would be reviewed for the next revision of the OSES.</p> <p>WSCC 07/03/2024 –Whilst WSCC welcome the further consultation undertaken to inform the updated strategy submitted to the ExA, this makes no mention of continued engagement or the route map to develop the OSES further including skills programmes and initiatives, see detailed response below. The OSEP now includes a list of existing skills programmes within Sussex that will be targeted but no clarity has been provided on how this list was selected and whether these programmes are actually relevant to target from both a geographical catchment and skills perspective. Whilst some skills programmes and specific initiatives have been identified in the updated OSEP, there is a lack of detail on expected targets or outcomes related to this. Further details on planned engagement, and the development of skills programmes and other initiatives is still required.</p>
WSCC25	Opportunities for local business to access the supply chain	<p>Concerns</p> <p>The Applicant states they will identify opportunities for companies based or operating in the region to access the supply chain for the Project, and that this is secured through a commitment (C-34) in the Outline CoCP. This measure, however, is not included within the Outline CoCP.</p> <p>Desired Actions</p> <p>The Applicant should provide a firm commitment to this in the Outline CoCP and outline the mechanism to enable access to the supply chain.</p>	<p>The OSES [PEPD-037] has been revised, in consultation with local authorities, and been provided at the pre-examination deadline.</p> <p>Initiatives presented to support jobs and skills in the local supply chain include:</p> <ul style="list-style-type: none"> • Encouraging and supporting growth and employment in local supply chain companies • Increasing visibility of local Small and Medium-sized Enterprises (SMEs) within the employment market • Creating opportunities to collaborate with other developers, tier 1s, and companies in the supply chain <p>Further consultation will be held with the stakeholders forming the basis of commitments within a subsequent Skills and Employment</p>	Not agreed- No Material Impact	03/07/24	<p>03/07/24 This matter is not agreed. The level of detail provided in the draft OSES does not provide sufficient reassurance to WSCC. More detail is requested in the outline OSES.</p> <p>18/6/24 With the SES now subject to LA approval, this topic is considered capable of agreement.</p> <p>10/05/24 At the Expert-to-Expert socio-economic discussion the Applicant noted that RED are waiting on the Government consultation period for guidance surrounding the supply chain to be complete.</p> <p>WSCC 07/03/2024- As above.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
		The Applicant should clarify what work has been undertaken or is ongoing or planned to address this issue. Further work is expected in respect of local supply chain expenditure, to increase from that forecasted.	<p>Strategy which will include greater detail on timelines, monitoring and commitments.</p> <p>Requirement 33 of the draft Development Consent Order [REP4-006] has been updated at Deadline 4. It now provides for approval of the Skills and Employment Strategy by WSCC in consultation with the relevant planning authorities. This can give confidence to WSCC that the SES will provide opportunities for local businesses to access the supply chain.</p>			
WSCC26	Community Benefits Package	<p>Concerns</p> <p>Reference within the OSES is made to a Community Benefits Package, however it is described as 'remaining separate' from the planning process. Due to the adverse effects identified by the Project, the Community Benefits Package should be a firm commitment and secured through the DCO.</p> <p>Desired Actions</p> <p>The Applicant should provide a firm commitment to this and secure this approach through the DCO. Engagement with stakeholders on the scope and scale of this Fund should also be developed, including with the local community, as outlined in the OSES.</p>	<p>A Community Benefits Package will be consulted upon locally in 2024. This is not part of the DCO application, nor should it be secured within it, as such packages cannot be considered within the planning assessment.</p> <p>The Applicant is waiting for updated Government guidance to be released, expected in June 2024. Once this has been received RED will consult key stakeholders, parish councils and communities on how a community benefits package could be used. It is expected that the updated guidance will promote a grass roots approach. RED recognise the inconvenience of construction and therefore are hoping to work with local communities to ensure those areas that will experience the most inconvenience benefit from these funds.</p>	N/A		<p>27/06/24: WSCC and the Applicant agreed that this is not strictly speaking a matter for planning consideration in relation to the Application – though some concerns may stand. This is still an important issue for WSCC.</p> <p>The Guidance being awaited from Government on Community Benefits has been delayed due to the elections. The Applicant awaits the new guidance in order to conduct meaningful consultation that is less vulnerable to external influence. The date is therefore not possible to confirm – it is acknowledged as not ideal. WSCC note that they will wish for a role in the engagement process on this fund consultation to ensure the mechanism and eligibility criteria allows the surrounding most affected communities to benefit the most.</p> <p>10/05/24: The following points were discussed at the Expert-to-Expert socio-economic discussion:</p> <p>-The Applicant provided an update on the community benefits package and confirmed RED is waiting for updated Government guidance to be released, expected in June 2024. The Applicant confirmed once this has been received RED will consult key stakeholders, parish councils and communities on how a community benefits package could be used. The Applicant noted it is expected that the updated guidance will promote a grass roots approach.</p> <p>WSCC noted the expectation for a grass roots approach and welcomed this. WSCC would like to understand further how the community benefits would be delivered in practice.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
						<p>The Applicant highlighted that this activity is not a requirement in order to be granted development consent for the Proposed Development and is being undertaken voluntarily. RED recognise the inconvenience of construction and therefore are hoping to work with local communities to ensure those areas that will experience the most inconvenience benefit from these funds. The Applicant confirmed further information will be provided in Autumn 2024.</p> <p>The Applicant proposed to agree that government guidance states community benefits package falls outside of the planning balance.</p> <p>WSCC stated they would take this point away but agreed this is something that could be progressed following WSCC internal conversations.</p> <p>WSCC 07/03/2024- Further discussion needed.</p>

Table 3-8 Status of discussions related to Noise and Vibration

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC27		<p>Concerns</p> <p>Paragraph 21.4.10 and Figure 21.2 identifies key receptors that have been scoped in for consideration. However, there is limited information on the methodology adopted to establish a 'key' receptor, and or how receptors (e.g., residential properties) were established</p> <p>Desired Actions</p> <p>Provide a clear methodology identifying how receptors have been identified/selected for assessment.</p>	<p>Generally, the receptors assessed are the most exposed to a particular element of the project. If properties are considered by Interested Parties to be omitted, it is likely that a more sensitive receptor at a similar distance to the project has been used as the representative receptor. Public Rights of Way are an important receptor, however BS5228-1 (British Standards Institution (BSI), 2014) Annex E states:</p> <p><i>“Noise levels generated by site activities are deemed to be potentially significant if the total noise (pre-construction ambient plus site noise) exceeds the pre-construction ambient noise by 5 dB or more, subject to lower cut-off values of 65 dB, 55 dB and 45 dB LAeq, T from site noise alone, for the daytime, evening and night-time periods, respectively; ...For public open space, the impact might be deemed to cause significant effects if the total noise exceeds the ambient noise (LAeq, T) by 5 dB or more for a period of one month or more. However, the extent of the area impacted relative to the total available area also needs to be taken into account in determining whether the impact causes a significant effect.”</i></p>	Agreed	25/06/24	<p>25/06/24: Moved to agree on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority Environmental Health Officers (EHO) who hold detailed expertise in this field.</p> <p>Nonetheless, WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Design and access statement and Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p>
WSCC28	Methodology for identifying receptors unclear/incomplete	There is a concern some receptors have been missed, including PROW.	<p>Therefore, the exposure of a PROW to high noise levels is not in itself a significant impact. This is usually because users of such resources will not tend to be resident in any one area for a long time exposing themselves to noise and can move away from that noise, whereas static receptors, e.g., residential dwellings are unable to relocate away from the noise.</p> <p>Although certain receptors are named as being representative, and these will generally be the nearest receptor to an element of the works, all receptors within the study area, which is defined within Section 21.4 of Chapter 21: Noise and Vibration, Volume 2 of the ES [APP-062], have been assessed.</p>	Agreed	25/06/24	<p>25/06/24: Moved to agree on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>Nonetheless, WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Design and access statement and Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
						<p>The Applicant does not acknowledge significant noise impacts on PROW users – however acknowledges that in the round there could be some temporary impacts on leisure activities.</p> <p>WSCC confirmed that the outstanding issue is that PROW are seemingly not considered in the noise assessment.</p> <p>WSCC is also concerned about the duration of construction impacts considered. The concern was also based on negative impacts of using 'main haul' roads for Rampion 1. The Applicant noted that there are a much greater number of access options for this project. The Applicant fed back that most PROW have roads in vicinity to them and there is recognition that there are noise impacts, but they are temporary and not significant. The Applicant has minimised interaction with PROW where possible (avoidance) and has suitable management and mitigation in place. The Applicant has in commentary provided further detail on the consideration of these through the examination process.</p> <p>The Applicant has clarified that for permanent impacts are assessed at Oakendene. The Applicant clarified that a screening assessment was undertaken for PROW across the scheme.</p> <p>WSCC request that the ES is written up in a clearer way to ensure that it is clear that PROW have been considered – as it reads as if they were scoped out currently. The Applicant agrees to review and potentially address as errata.</p> <p>Applicant 20/06/2024</p> <p>Responses at D3 and D4 demonstrate no significant effect at receptors and that where above the LOAEL but below the SOAEL, the project is minimised to as low as practicable through the application of best practice and through design.</p> <p>No significant noise effects are predicted at Public Rights of Way and the detriment to amenity is questionable as the affected Public Rights of Way assessed (at Oakendene) pass through a noisy industrial estate and are in the vicinity of the A272.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
						<p>It is not a standard methodology to determine the total number of receptors, with usual noise assessment practice being to determine the worst affected receptors and ensuring that these are appropriately mitigated.</p> <p>WSCC 07/03/2024 –This still does not give the reader a clear indication of the number of receptors potentially negatively impacted.</p> <p>Noted, but there will nonetheless be impacts on the amenities of PROW that should be assessed. Some will be for longer periods, and for a greater percentage of a specific route/PROW.</p>
WSCC29	Concern that construction noise impacts have been underplayed.	<p>Concerns</p> <p>It is concerning that no significant impacts on any receptors are identified. In coming to these conclusions, considerable reliance has been placed on 'embedded measures', set out in commitments C-10, C-26 and C263' – All to be captured as part of stage specific CoCPs (C-33). The Outline CoCP suggests that a construction Noise Management Plan (NVMP) will be produced; however, no draft has been provided to date.</p> <p>Desired Actions</p> <p>There is a need to consider a worst-case scenario, and thus only noise mitigation measures where specified attenuation levels can be confidently established/applied should be considered at this stage.</p>	<p>No significant impacts are identified as the potential for such impacts has been removed by design i.e., routing of the linear aspects of the works, and the choice of embedded mitigation. Considerable reliance is placed on embedded measures and such measures are demonstrably effective.</p> <p>As requested, 8.60 Outline Noise and Vibration Management Plan [REP3-054] has been provided to the examination.</p>	Agreed	25/06/2024	<p>25/06/2024: Moved to agreed on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>Nonetheless WSCC retain concerns as to whether a worst-case has been considered for the duration of noise impacts to be experienced by receptors along the cable route construction corridor (given uncertainty over phasing of the works and potential duration of noisier activities).</p> <p>WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p> <p>In this regard WSCC welcome the provision of the outline noise and vibration management plan and have provided detailed comments at deadline 4 [REP4-086] that they would wish to be addressed.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
		A draft NVMP should be produced.				<p>WSCC provided comments on the updated, 8.60 Outline Noise and Vibration Management Plan [REP3-054] at deadline 3.</p> <p>The Applicant is making an amendment on how noise monitoring will be taken forward. The Applicant has reviewed the feedback provided by WSCC and does not pick up any material changes.</p> <p>In regard to phasing and duration it was confirmed that this is an integral part of the assessment.</p> <p>S-61s are for those items of activities that take place outside the standard working day. WSCC feel that variations should apply across the piece not just S61 part. The reassessment was identified in a section titled "s61 Applications" within the ONVMP, but the Applicant confirmed that everything will be reassessed once final design is completed. The existing envelope for the ES presents the worst case.</p> <p>20/06/2024: Based on a review of written responses at deadline 3, the Applicant sees that WSCC still has an issue the noise assessment methodology, which is a standard approach within EIA and which the Applicant has addressed within [REP2-020] and [REP4-070] however the WSCC position has not moved.</p> <p>Thresholds will need to be achieved by the HDD. The application of barriers is one mitigation solution, but it is not the only solution. Mitigation will be detailed by suitably qualified persons during detailed design and a commitment is being drafted to secure this for Deadline 5</p> <p>WSCC highlighted that on all noise and vibration matters they will ultimately take the lead view from the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>WSCC 07/03/2024–Concern over duration of impacts assumed.</p> <p>It has not been demonstrated that acoustic barriers for HDD will be possible in all cases</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC30	Concern that noise impacts from construction compounds have been underplayed.	<p>Concerns</p> <p>Despite noise level predictions identifying several properties/receptors close to construction compounds that would be significantly above BS5228 thresholds (for medium impacts), conclusions downplay the magnitude of impacts as 'low' based on estimated duration of works (1 month), and/or by switching to a methodology whereby impacts are assessed using average noise levels. The justification/evidence for these conclusions is limited and seemingly predicated on mitigation measures or duration of activities which at this stage cannot be guaranteed.</p> <p>Desired Actions</p> <p>Ensure a true 'worst-case' scenario is considered, and do not rely on measures which remain uncertain at this stage.</p>	<p>British Standard 5228 (BSI, 2014) is the Secretary of State (SoS) approved code of practice for construction noise. The Applicant has illustrated the potential magnitude of the noise impacts by comparing the predicted construction noise levels to the existing ambient noise levels at each receptor location. The Applicant has assessed the magnitude of impact with reference to BS5228-1 Annex E (BSI, 2014) which states:</p> <p><i>"Noise levels generated by site activities are deemed to be potentially significant if the total noise (pre-construction ambient plus site noise) exceeds the pre-construction ambient noise by 5 dB or more, subject to lower cut-off values of 65 dB, 55 dB and 45 dB from site noise alone, for the daytime, evening and night-time periods, respectively; and a duration of one month or more, unless works of a shorter duration are likely to result in significant effect."</i></p> <p>The Applicant considers that the construction compound activity levels reported are worst-case. This is through an accumulation of activities that are unlikely to all be operating at the same time, along with the use of percentage on-times that suggest plant would be working for longer than would generally be expected.</p>	Agreed	25/06/24	<p>25/06/24: Moved to agreed on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>Nonetheless, WSCC retain concerns as to whether a worst-case has been considered for the duration of noise impacts to be experienced by receptors adjacent to construction compounds (given uncertainty over the periods of noisier activities will take place).</p> <p>WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p> <p>WSCC stated ongoing noise throughout 3.5-4-year duration is the concern. The Applicant confirmed that it is not possible and not the norm for a DCO applicant to be able to confirm detailed design of peaks and troughs of noise until detailed design stage.</p> <p>20/06/2024: Based on a review of written responses at deadline 3, the Applicant sees that WSCC still has an issue the noise assessment methodology, which is a standard approach within EIA and which the Applicant has addressed within [REP2-020] and [REP4-070] however the WSCC position has not moved.</p> <p>Thresholds will need to be achieved by the construction works. An Outline Noise and Vibration Management Plan was tabled at Deadline 3</p> <p>The Applicant has changed this from yellow to green but requests a final expert to expert call to seek if there is any further clarity that can be provided</p> <p>WSCC 07/03/2024 –Concerns remain over the duration of activities/potential impacts assumed at key compounds,</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
WSCC31 This was a Principal Area of Disagreement for West Sussex County Council	Lack of consideration and/or underplay noise impacts of cable route construction and side access routes.	<p>Concerns</p> <p>Consideration of impacts of cable route construction and use of side accesses are largely excluded as considered short in duration, despite having the potential to result in noise levels above 75dB at sensitive noise receptor locations.</p> <p>Desired Actions</p> <p>Need to consider the full extent of all potentially noisy onshore cable route works and recognise that some impacts (e.g., HGVs/Staff/machinery traversing the cable route) may occur for significantly longer periods. Noise contours for cable route should be provided, and all proximate sensitive receptors identified and assessed.</p>	<p>The noise impacts of cable route and side access routes have been considered. The levels above 75dB would not be experienced all day, every day of the works, but is a worst case. When taking into consideration the temporal threshold of significance from BS5228-1 (BSI, 2014) the approved code of practice for construction noise, such noise levels will not be present for the periods of time that would make the noise a significant impact.</p> <p>If the situation changes and significant effects become likely, then there is Commitment C-263 of the Commitments Register [REP4-057] that requires <i>“the Noise and Vibration Management Plan (NVMP) shall be updated, or a Section 61 application will be made to the relevant Local Planning Authority”</i>. Whilst there may not be specific assessments for the use of every haul route, the worst case use of such haul routes (or access points) has been undertaken and determined to be not significant.</p> <p>Onshore cable trenching activities will progress at approximately 35 metres per day. Therefore, any receptor would be exposed to noise from trenching activities for very limited periods with the noise levels changing hour-by-hour, as the activities progress. The use of noise contour maps is relevant for exposure to noise over a reasonable time period, and this does not apply to onshore cable trenching activity.</p> <p>Worst-case noise contour maps have not been produced as they do not provide a meaningful representation of the noise levels at receptors. This is also the approach taken on other linear NSIPs.</p>	Agreed	25/06/24	<p>As per WSCC29 above.</p> <p>WSCC stated ongoing noise throughout 3.5-year duration is the concern. The Applicant confirmed that it is not possible and not the norm for a DCO applicant to be able to confirm detailed design of peaks and troughs of noise until detailed design stage. The Applicant also highlighted in relation to works on the cable corridor noise would only ever be experienced as being point impacts and of a very temporary nature.</p> <p>WSCC 07/03/2024 Concerns over durations assumed, given phasing and use of haul routes not determined.</p> <p>Noise contours for cable route activities would visually identify receptors potentially affected.</p> <p>20/06/2024: Based on a review of written responses at deadline 3, the Applicant sees that WSCC still has an issue the noise assessment methodology, which has found that the speed of the trenching works cannot give rise to adverse impact. Likewise haul routes</p> <p>The Applicant has changed this from yellow to green but requests a final expert to expert call to seek if there is any further clarity that can be provided</p>
WSCC32 This was a Principal Area of Disagreement for West	Concern that Oakendene Substation operational noise impacts have been underplayed.	<p>Concerns</p> <p>Despite noise level predictions identifying three properties/receptors close to the substation being above background levels by +4 or +5dB (night-time) conclusions downplay the</p>	<p>The low background sound levels are acknowledged, although it is understood that the LPA would prefer that the Rating levels from such electrical infrastructure is mitigated to as low as level as possible, the assessment has to consider many factors in arriving at suitable limits.</p> <p>BS 4142 (BSI, 2019) states <i>“Where the initial estimate of the impact needs to be modified due to</i></p>	Agreed	25/06/24	<p>25/06/2024: Moved to agreed on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>Nonetheless, WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Design and access</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
Sussex County Council		<p>magnitude of impacts as 'low' and not significant. As a result, it is concerning that permanent night-time noise impacts on these properties are downplayed given their rural location with low background noise levels.</p> <p>Desired Actions</p> <p>Reconsider weighting applied to noise impacts where over background levels. (noting BS4142 thresholds are 'thresholds' for a medium impact' i.e., above these levels, impacts will be greater). Reconsider noise limit levels set in the DAS, closer to background levels. Provide a greater commitment to the installation of physical noise attenuation measures on substation plant to demonstrate that noise levels will be 'minimised'.</p>	<p><i>the context, take all pertinent factors into consideration, including the following.</i></p> <p>1) <i>The absolute level of sound. For a given difference between the rating level and the background sound level, the magnitude of the overall impact might be greater for an acoustic environment where the residual sound level is high than for an acoustic environment where the residual sound level is low.</i></p> <p><i>Where background sound levels and rating levels are low, absolute levels might be as, or more, relevant than the margin by which the rating level exceeds the background. This is especially true at night."</i></p> <p>Although earlier versions of BS4142 did define +5dB as the onset of adverse impact, the current revision BS4142:2014 +A1:2019 is more nuanced (though it should also be recognised that the earlier versions of the standard (e.g., BS4142:1997) did include low background level cut-off below which the standard did not apply. The Association of Noise Consultants (ANC) Good Practice Working Group prepared a technical note on the use of the BS4142:2009 +A1:2019. –The technical note, although being a discussion as opposed to a prescriptive guide, is considered within the industry to be an authority on how to interpret the technical elements of the standard.</p> <p>The Technical Note states <i>"BS 4142 does not indicate how the initial estimate of impact should be adjusted when background and rating levels are low, only that the absolute levels may be more important than the difference between the two values. It is likely that where the background and rating levels are low, the absolute levels might suggest a more acceptable outcome than would otherwise be suggested by the difference between the values. For example, a situation might be considered acceptable where a rating level of 30dB is 10dB above a background sound level of 20dB, i.e., an initial estimate of a significant adverse impact is modified by the low rating and background sound levels. There may be situations where the opposite is true, and it is for the</i></p>			<p>statement and Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p> <p>The Applicant feels there is a misunderstanding on part of WSCC in relation to the appropriate threshold. The Applicant set out the policy basis for this by way of clarification. Rating levels of 35 dB are considered the onset of adverse impacts – at 35dB adverse impact is not observable based on studies on human health (sleep disturbance etc) within the nearest dwellings. Noise levels that are below this level would be indistinguishable to those at 35dB with respect to sleep disturbance.</p> <p>WSCC maintain remain of the opinion that threshold rating levels at sensitive receptors proximate to the substation should be set closer to existing background levels to minimise the potential for adverse impacts. The greater the noise level above background, the greater the magnitude of impact, and that a difference of +5dB is likely to be an indication of an adverse impact.</p> <p>WSCC 07/03/2024- Concerns remain that noise levels 4-5dB above background at night will give rise to impacts on amenity (even if not at a level to give rise to adverse health effects).</p> <p>20/06/2024: Based on a review of written responses at deadline 3, the Applicant sees that WSCC still has an issue the noise assessment methodology, which the Applicant has addressed within [REP2-020] and [REP4-070] however the WSCC position has not moved.</p> <p>The concerns voiced by the Council are not based on any criteria. Responses at D2 and D4 have identified that the criteria applied give rise to levels below the LOAEL, which is consistent with the Noise Policy Statement for England and the Planning Practice Guidance: Noise</p> <p>The Applicant has changed this from yellow to red but requests a final expert to expert call to seek if there is any further clarity that can be provided</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
			<p>assessor to justify any modifications to the initial estimate of impact. BS 4142 does not define 'low' in the context of background sound levels nor rating levels. The note to the Scope of the 1997 version of BS 4142 defined very low background sound levels as being less than about 30 dB LA90, and low rating levels as being less than about 35 dB LAr,Tr. The WG suggest that similar values would not be unreasonable in the context of BS 4142, but that the assessor should make a judgement and justify it where appropriate."</p> <p>In addition to the above, and as provided in paragraph 21.8.19 of Chapter 21: Noise and Vibration [APP-062], the World Health Organisation (WHO) Night Noise Guidance for Europe (NNG) (2009 found that below the level of 30dB Lnight, outside, there are no observed effects on sleep. Furthermore, there is no evidence that biological effects observed at levels below 40dB Lnight, outside are harmful to health. At levels above 55dB Lnight, outside, the NNG detailed that adverse health effects occur frequently and there is limited evidence that the cardiovascular system is coming under stress.</p>			
WSCC33 This was a Principal Area of Disagreement for West Sussex County Council	Concerns about lack of detail in the Outline CoCP	<p>Concerns</p> <p>Concerns about a number of matters regarding noise in the Outline CoCP, including Reliance on future noise assessments, and trigger points for further mitigation is unclear, lack of detail on how phasing/sequencing will be secured, clarification on communications plan during construction and uncertainty regarding trenchless crossing methods and impacts.</p> <p>Desired Actions</p> <p>Concerns to be addressed by the Applicant through</p>	<p>The draft Development Consent Order [REP4-004] includes requirement 10 (1) that requires, "No part of the authorised project within the Order limits landward of Mean Low Water Spring (MLWS) is to commence until a written programme identifying the stages of those works has been submitted to and approved by the relevant planning authorities".</p> <p>Chapter 4 The Proposed Development, Volume 2 of the ES [APP-045] paragraphs 4.5.24 to 4.5.29 contain the description of how trenchless crossings have been assessed and the impacts are reported in each of the onshore ES chapters [APP-058 to APP-071]. The trenchless crossings are secured in the Outline Code of Construction Practice [REP4-043] – Appendix A – Crossing Schedule. The Outline Construction Method Statement [APP-255] describes the detailed design process for the trenchless crossings and requirement 23 of the draft Development Consent Order [REP4-</p>	Agreed	25/06/2024	<p>25/06/2024: Moved to agreed on the basis that WSCC confirmed for all noise and vibration matters they will ultimately defer to the views of the relevant Local Authority EHO who hold detailed expertise in this field.</p> <p>WSCC will continue to provide detailed comments/observations on updated submissions and control documents (in particular the Outline Noise and Vibration Management Plan) with a view to ensuring noise impacts are minimised as far as practicable, and welcome progress with a S106 that would aid in compensating for impacts on the amenities of PROW (including through noise disturbance).</p> <p>In this regard WSCC have provided detailed comments on the outline noise and vibration management plan at deadline 4 [REP4-086] that they would wish to be addressed.</p>

Reference number	Point of Discussion	WSCC's position	Applicant's position	Current Status	Date of agreement	Record of Progress
		updates to the relevant control documents, including the Outline CoCP.	<p>004] secures further submission of details for approval of the relevant planning authority. It should be noted that any change to the installation method will require confirmation of no new or materially different significant effects.</p> <p>8.60 Outline Noise and Vibration Management Plan [REP3-054] was provided to the examination at Deadline 3 to provide clarity on future noise assessments.</p> <p>An update to the Outline Construction Communications Plan will be submitted at Deadline 5 with the inclusion of requirement 34 of the draft Development Consent Order [REP4-004]</p>			<p>WSCC 07/03/2024 – Commitment (C-263) states “<i>Where any significant deviation from the initial sound level predictions is identified, such that levels in excess of the BS 5228 thresholds of significance are likely, the Noise and Vibration Management Plan (NVMP) shall be updated or a Section 61 application will be made to the relevant Local Planning Authority</i>”. The scope/methodologies of any such assessments are unclear and trigger levels are undefined.</p> <p>As noted above, DCO C10 will not provide details of how works will be phased/managed within each stage.</p> <p>The Applicant 20/06/24: The scope and methodology of the assessments will be consistent with the assessments undertaken during the EIA, i.e. will be undertaken in accordance with the ABC method from Annex E of BS 5228 part 1, the code of practice for construction noise. The exact nature of how works will be managed depends on the nature of works being undertaken. This will be addressed by the stage- specific Noise and Vibration Management Plans, that will be approved by the relevant planning authorities</p>

Table 3-9 Status of discussions related to Terrestrial Ecology and Nature Conservation

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
WSCC34 This was a Principal Area of Disagreement for West Sussex County Council	Compensation for temporary loss of habitat and landscape features along the cable corridor and at the construction compounds and access routes.	<p>Concerns</p> <p>Ecological impacts of temporary habitat loss and inherent risk of poor reinstatement (failure with tree planting, hedgerow 'notching' and other habitat restoration) are greater than assumed.</p> <p>Desired Actions</p> <p>Additional compensation, such as restoring hedgerows to better condition, advance tree planting and other habitat enhancements. Opportunities for habitat enhancement should be actively sought and included in the stage specific Landscape and Ecology Management Plans (outline version APP-232).</p>	<p>The Outline Landscape and Ecology Management Plan [REP4-047] outlines (in Section 5) how habitats will be established, managed and monitored in the long term, with an allowance for adaptive management. The detailed stage specific Landscape and Ecology Management Plans that will be created during the detailed design phase will add further detail and require sign-off by Natural England the relevant planning authorities (which would include WSCC). This information would include a schedule of monitoring and decision-making points that will allow any necessary remedial works to be undertaken in a short timescale. For example, a schedule that monitors a hedgerow in early summer will allow for any failures to be identified, reported and replaced within the following planting season.</p> <p>Following discussion with WSCC the Applicant has added further detail, clarification and certainty to the Outline Landscape and Ecology Management Plan [REP3-037] which was submitted at Deadline 3. A further update at Deadline 4 was made to address the hand-over to the OFTO (Offshore Transmission Owner) raised by WSCC during Issue Specific Hearing 2. Further, minor clarifications will be added at Deadline 5.</p> <p>Appendix 22.15 Biodiversity Net Gain Information, Volume 4 of the ES [REP3-020] notes that the first opportunities to deliver new or enhanced habitats will be on the land owned by those that are affected. It is the Applicant's intention to discuss the potential delivery of new or enhanced habitats once detailed design has identified the losses which are expected to be less than those assessed within Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063]. A meeting with WSCC has been held on BNG and an updated version of Appendix 22.15 was submitted at Deadline 3 that addressed their concerns. It is noted that a further update to this appendix will be</p>	Agreed	22/07/24	<p>22/07/24 (WSCC): Following revisions to the OLEMP submitted at Deadline 5, and the revised wording of Requirement 14 (BNG) put forward by the Applicant at Deadline 5, WSCC is now content for this matter to move to agreed.</p> <p>26/06/24: The Applicant summarised the changes made to the OLEMP and COCP at DL4 to ensure that the concerns raised have been actively addressed.</p> <p>WSCC commented: that updates in the OLEMP clarifications are very much welcomed. WSCC are content for the matter to go green- subject to securing the BNG through Requirement 14, with the wording presented to the ExA.</p> <p>20/06/24: The Applicant proposes that this matter moves from yellow to green on the basis that the desired actions have been delivered and on the basis that the Applicant has offered compensation and enhancement through BNG and relevant S106 compensation which delivers hedgerow and tree planting.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed</p> <p>24/05/24: Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.</p> <p>This matter has been exchanged on throughout the written examination process.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
			<p>made at Deadline 5 to breakdown the results to apply to Arun District (outside of the South Downs National Park), the South Downs National Park, Horsham District (outside of the South Downs National Park) and Mid-Sussex District.</p> <p>The Applicant considers that the updated materials at Deadline 3 and Deadline 4 address the points raised by WSCC, including in their Deadline 3 response [REP3-073]. With further changes at Deadline 5 bringing minor clarifications.</p>			
WSCC35 This was a Principal Area of Disagreement for West Sussex County Council	The reliance on off-site compensation and Biodiversity Net Gain (BNG).	<p>Concerns</p> <p>Through being delivered off-site, and by a third party, there are concerns that it will not achieve the intended nature conservation benefits, and in the expected timeframe.</p> <p>Desired Actions</p> <p>Information is required on the details of BNG, such as locations, type and extent of habitat creation/enhancement, timescales, management and monitoring. Detail is also required on the mechanism to secure off-site BNG.</p>	<p>Biodiversity units provided off-site, calculated via the Statutory Biodiversity Metric, will be provided in line with Government (Defra) guidance and be registered with Natural England. In this way, it will be no different to those development projects delivering mandatory BNG via the Environment Act 2021. Ensuring that all steps of the guidance are followed provides comfort that appropriate steps will be taken to ensure suitable habitat creation and enhancement work is backed up by robust management and monitoring to deliver the necessary biodiversity units. It should be noted that when discussing provision of off-site biodiversity units that they could be delivered within the Order Limits should suitable arrangements with landowners be made during the detailed design phase.</p> <p>The types of biodiversity units to be purchased will reflect the needs of the Proposed Development (e.g. ensure that the trading rules within the metric are met) thereby delivering habitats known to be present and functioning within the locality.</p> <p>Further information on BNG is provided in Appendix 22.15: Biodiversity Gain Information, Volume 4 of the ES [REP3-020] also provides Natural England and WSCC with the opportunity to review and approve the units purchased. A meeting with WSCC has been held on BNG and an updated version of Appendix 22.15 was submitted at Deadline 3 that addressed their concerns. Appendix 22.15 will be</p>	Agreed	22/07/24	<p>22/07/24 (WSCC): During a meeting with the Applicant, WSCC requested that Section 5.4 (Securing BNG) of the BNG Information document is amended to include details of the Stage Specific BNG Strategies (using text from the Applicant's Responses to ExAQ2 Table 2-6 Ref. BNG 2.4 [REP5-119]). The Applicant agreed to update the BNG Information document at Deadline 6. Together with recent updates to the BNG Information document at Deadline 5, and the revised wording of Requirement 14 put forward by the Applicant at Deadline 5, WSCC is now content for this matter to move to agreed.</p> <p>26/06/2024 – 20/06/24: The Applicant proposes that this matter moves from yellow to green.</p> <p>WSCC requests to see the revised BNG Appendix and responses at DL5 in order for this to go green. The Applicant offered a pre-deadline preview, but this was not practical.</p> <p>WSCC request the amendment to Requirement 14 – and the Applicant will provide a preview of response to this matter.</p> <p>The Applicant noted that WSCC have primarily got an overarching issue with the national BNG system- concerns regarding compensation not being delivered in a timely fashion through contracting for BNG. WSCC noted that it is how BNG is secured that is the key concern.</p> <p>The Applicant has updated Appendix 22.15 for submission at Deadline 5 to note that both the</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
			<p>further updated at Deadline 5 to pick up points from the second issue specific hearing and responses received at Deadline 4.</p> <p>The Applicant considers that the updated materials at Deadline 3 and Deadline 4 address the points raised by WSCC, including in their Deadline 3 response [REP3-073].</p>			<p>mitigation hierarchy and the Biodiversity Gain Hierarchy are to be implemented. Calculations have also been broken down by jurisdiction in relation to Requirement 14.</p> <p>The Applicant is also providing relevant responses at deadline 5 which have been provided for preview during this meeting.</p> <p>In addition, it is noted that this matter has been exchanged on throughout the written examination process.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed</p> <p>24/05/24 Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.</p>
<p>WSCC36</p> <p>This was a Principal Area of Disagreement for West Sussex County Council</p>	<p>Advance habitat creation, to be implemented before and during the early stages of construction.</p>	<p>Concerns</p> <p>There is a lack of information on advance habitat creation (both on-site and offsite), including locations, specifications, timescales and how it will be secured.</p> <p>Desired Actions</p> <p>Confidence in delivery is required. Information could be presented in the stage specific Landscape and Ecology Management Plans (LEMPs) and landscape plans.</p>	<p>The Applicant has provided an indicative layout of the habitats to be established on-site at the substation location and at the extension of the existing National Grid connection point. The exact nature and scale of these will need to be flexible at this stage as the design will inevitably change to accommodate the agreed number of turbines / turbine capacity / types of transmission cable etc. As the final Landscape and Ecological Management Plan will be agreed with WSCC before being implemented it is considered there is adequate opportunity for WSCC to influence the design post consent. An updated version of indicative landscape plan and a phasing plan was provided in an updated version of the Outline Landscape and Ecology Management Plan [REP3-037] at Deadline 3. A further update to the Outline Landscape and Ecology Management Plan [REP4-047] was provided at Deadline 4.</p> <p>For off-site habitat creation this will not be known until detailed design has highlighted the quantity and type of biodiversity units required. It is noted</p>	<p>Agreed</p>	<p>22/07/24</p>	<p>22/07/24 (WSCC): Following revisions to the BNG Information document submitted at Deadline 5 and the revised wording of Requirement 14 put forward by the Applicant at Deadline 5, WSCC is now content for this matter to move to agreed.</p> <p>26/06/24:</p> <p>WSCC requested clarity on the management plan and BNG claim status being proposed at Oakendene. The Applicant confirmed that the intention is there in relation to claiming as BNG, however this is subject to landowner agreement in relation to advance planting, the VRP.</p> <p>The Applicant proposes that this matter moves from yellow to green on the basis that the desired actions have been delivered.</p> <p>WSCC agree that this moves to green with the caveat that The BNG Appendix is reviewed and Requirement 14 wording is amended– and the Applicant will provide a preview of response to this matter.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
			<p>that Appendix 22.15: Biodiversity Gain Information, Volume 4 of the ES [REP3-020] that 70% of the biodiversity units required delivered ahead of the commencement of construction for each stage of the delivery (e.g. based on stage specific detailed design). A meeting with WSCC has been held on BNG and an updated version of Appendix 22.15 was submitted at Deadline 3 that addressed their concerns.</p> <p>The Applicant considers that the updated materials at Deadline 3 and Deadline 4 address the points raised by WSCC, including in their Deadline 3 response [REP3-073]. Further, update to Appendix 22.15 will be provided at Deadline 5.</p>			<p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed</p> <p>24/05/24 Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.</p>
WSSC37	Further guidance is required on the content of the stage specific LEMPs	<p>Concerns</p> <p>There is insufficient detail in the OLEMP regarding advance planting, habitat reinstatement, planting specifications and programme, and maintenance and monitoring specifications.</p> <p>Desired Actions</p> <p>The OLEMP should include greater detail to inform the content of the stage specific LEMPs,</p>	<p>An updated version of Outline Landscape and Ecology Management Plan [REP3-037], including the indicative landscape plan and a phasing plan was provided at Deadline 3. A further updated will be provided at Deadline 4 [REP4-047] addressing points raised by WSCC in the Issue Specific Hearing 2.</p> <p>It should be noted that pre-planting falls within onshore site preparation works and will be addressed in a LEMP for the relevant stage of works.</p>	Agreed	22/07/24	<p>23/07/2024 The Applicant has updated the OLEMP at Deadline 5 addressing the remaining concerns raised at WSCC's Deadline 4 submission [REP4-086]. This matter is therefore agreed.</p> <p>26/06/24: The Applicant stated that the OLEMP has been updated for submission at Deadline 5 to address the remaining points raised by WSCC.</p> <p>The Applicant ran through a number of responses regarding WSCC's Deadline 4 submission [REP4-086] and the DL 5 ExAQs related to the O/LEMP and summarised the amendments to be expected at DL5 as part of the expert-to-expert meeting.</p> <p>The Applicant proposes that this matter moves from yellow to green on the basis that the desired actions have been delivered.</p> <p>WSCC proposes that this matter could move from yellow to green once revisions of the OLEMP are submitted at DL5 (or if WSCC receive draft revisions in advance and are able to respond prior to DL5), on the basis that revisions fully address concerns raised.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
						<p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary.</p> <p>24/05/24 Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.</p>
<p>WSCC38</p> <p>This was a Principal Area of Disagreement for West Sussex County Council</p>	<p>Arboricultural Impact Assessment (AIA) and hedgerow survey</p>	<p>Concerns</p> <p>Unknown impact/reasoning on arboricultural features.</p> <p>Desired Actions</p> <p>Include keys on plans for temporary and permanent access points. Set out how and when further tree and hedgerow surveys will be implemented. Justify the removal of: G251 (partial), T609, T611, T613 & T617.</p>	<p>Annex B (Arboricultural Impact Plan) of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] has been updated at Deadline 4 [REP4-037] to identify temporary and permanent access points. This information was also published at Deadline 3 within the vegetation retention plans that accompanied the Outline Code of Construction Practice [REP3-025].</p> <p>As stated in paragraph 4.4.2 of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037], survey detail will be required for all trees and hedgerows that were inaccessible during the preparation of the AIA to inform a detailed design and the Applicant is committed to providing it at this time.</p> <p>The partial removal of G251 is required to create a vehicular access into the field within the Order limits.</p> <p>Trees T609, T611, T613, T617 would only need to be removed if the Alternative Crossing Compound is used and the compound moved to the far north of the Limits of Deviation. They have been shown as removed in error on Annex B (Arboricultural Impact Plan) of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037] which was updated and published at Deadline 4. This error affects the CAD model only, the number of features and canopy loss calculations reported are correct. It is noted that the engineering team</p>	<p>Agreed</p>	<p>17/07/2024</p>	<p>17/07/2024: The AIA now includes the full retention of T609, T611, T613 & T617. This matter is therefore agreed.</p> <p>26/06/24: The Applicant proposes that this matter moves from yellow to green on the basis that the desired actions have been delivered.</p> <p>WSCC seek for and the Applicant agrees to ensure that the outputs of the AIA are fully aligned with what is being reported in other plans.</p> <p>WSCC – sought clarification on G-251 access – the Applicant confirmed this is an access associated with avoidance of habitat loss and impacts on the tributary of the Cowfold Stream, hedgerows and trenchless compound.</p> <p>Table 7.8 in the AIA needs to be reviewed and commented on by WSCC in order to agree that this is green.</p> <p>The AIA has been updated for submission at Deadline 5 to address the remaining points raised by WSCC.</p> <p>WSCC proposes that this matter could move from yellow to green once revisions of the AIA are submitted at DL5 (or if WSCC receive draft revisions in advance and are able to respond prior to DL5), on the basis that revisions fully address concerns raised.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
			have confirmed removal (even with micro-siting of the HDD compound) is not necessary.			24/05/24 Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.
WSCC39 This was a Principal Area of Disagreement for West Sussex County Council	Arboriculture: removal of potential near future veteran trees.	<p>Concerns</p> <p>Loss of significant arboricultural features.</p> <p>Desired Actions</p> <p>Demonstrate tree loss at Oakendene Substation are not detrimental to historical parkland at a local context, and how proposed landscaping compensates for such loss. Safeguard trees T1273 & T1236 from potential removal.</p>	<p>A calculation rate for the replacement of individual trees to be removed is presented as a function of their current stem size within the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] and secured by Commitment C-286 of the Commitment Register [REP4-057]. In this way the amount of replacement planting would respond to the scale of impact and mean that up to 14 new trees would be provided for the loss of a single tree at Oakendene Substation in some instances. The full extent of replacement planting has not yet been designed but will be incorporated into future landscape plans based on a detailed design. Measures to mitigate the loss and disturbance of the features and niche habitats that contribute to the 'approaching veteran status' of several of the trees are also embedded into the scheme. Section 8.6 of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037] describes a hierarchy of options that minimises both the displacement and processing of arisings (cut timber and vegetation). Through the implementation of this hierarchy, features of habitat value on felled trees would be retained intact and would be relocated to the nearest suitable location. It would also be possible to simulate the existing habitat arrangement and conditions in some instances, for example by installing cut timber at the same orientation and/or height as it is currently growing. This information will be presented as part of a set of stage specific Arboricultural Method Statements at the detailed design stage in accordance with Commitment C-282 of the Commitments Register [APP-254] and ensured by the Ecological Clerk of Works under</p>	Agreed	26/06/24	<p>26/06/24: Agreed that - the Applicant has demonstrated the calculation losses to the satisfaction of WSCC.</p> <p>T1273 and T1236 have now been correctly shown at DL4 is also agreed. This matter is now agreed.</p> <p>20/06/24:</p> <p>The Applicant proposes that this matter moves from yellow to orange based on the written responses of WSCC – this will be discussed as part of the expert-to-expert meeting.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary.</p> <p>22/05/24 Applicant has clarified tree losses at Oakendene –WSCC view on status of this having digested the confirmation was requested.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
			<p>commitment C-207.</p> <p>A historic landscape assessment of the historic parkland at Oakendene was undertaken in line with WSCC consultation response, which is presented in Appendix 25.5: Oakendene parkland: historic landscape assessment, Volume 4 of the ES [APP-211]. This exercise informed the design process and the assessment of effects presented in Chapter 25: Historic Environment, Volume 2 of the ES [APP-066].</p> <p>The assessment also took account of the measures proposed in Outline Landscape and Ecology Management Statement [REP3-037], detailing the indicative landscape plan and design principles, which have been formed with consideration to the setting of Oakendene Manor.</p>			
WSCC40 This was a Principal Area of Disagreement for West Sussex County Council	Assessments do not recognise impacts on land allocated for large scale woodland planting.	<p>Concerns</p> <p>Loss of potential woodland within the County.</p> <p>Desired Actions</p> <p>Address how this has been considered along the Oakendene to Bolney substation cable route.</p>	<p>The Applicant is not aware of any land formally allocated for large scale woodland planting. Defra's MAGIC Interactive Map was assessed during the preparation of the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037] but no active woodland grant scheme applications were identified that would be affected by the Proposed Development along the Oakendene to Bolney substation cable route. Local landowners have noted that they aim to plant trees to the east of Oakendene. In this area the width of the cable corridor has been reduced to minimise land take (noting that a maximum of two cables will be required between the substation and grid connection point).</p> <p>The Applicant is seeking, in discussion with the landowner, to extend the trenchless crossing from the Oakendene substation across Kent Street (in an easterly direction) to avoid the area of saplings that have been recently planted. These discussions are ongoing.</p>	Agreed	26/06/24	<p>26/06/24: This matter is now agreed with WSCC. The Applicant proposes that this matter moves from yellow to green on the basis that all impacts on land allocated to large scale woodland planting has been assessed. It is noted that losses to newly planted woodland to the east of Kent Street (planted following application) has been minimised by the extension of an existing trenchless crossing. This is a new design amendment being introduced formally at Deadline 5.</p> <p>WSCC reflected on the proposed design change and the significantly reduced scale of the woodland plantation within land east of Kent Street (funded by The Queen's Green Canopy and planted in memory of the late Queen Elizabeth II) and agreed that the position can move from yellow to green on this basis.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary.</p> <p>April 24: Applicant Clarification provided that the Queen's Canopy project has been considered by the project. New saplings are in place – mitigation</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
						discussions are still ongoing with the relevant Affected Party.
WSCC41 This was a Principal Area of Disagreement for West Sussex County Council	Important hedgerows are not adequately identified across multiple documents and plans.	<p>Concerns</p> <p>Removal or damage caused to hedgerows including those determined as 'important'.</p> <p>Desired Actions</p> <p>The following must be consistent with hedgerow references and survey findings: Schedule 13; Tree Preservation Order and Hedgerow Plan; Hedgerow Survey Report; and Hedgerow Retention and Treeline Retention Plan.</p>	<p>The Tree Preservation Order and Hedgerows Plan [REP4-003] shows important hedgerows that are identified in Chapter 22: Terrestrial Ecology and Nature Conservation, Volume 2 of the ES [REP4-022] and Chapter 25 Historic Environment, Volume 2 of the ES [REP4-024]. This has led to some confusion as a consolidated list of important hedgerows was not provided in a single location. The Tree Preservation Order and Hedgerows Plan and Figure 7.2.1 of the Outline Code of Construction Practice [REP4-057] have also been reviewed and a small number of discrepancies identified.</p> <p>Updates to the plans has taken place as the examination has progressed, although a final consolidated plan (that includes the information on important hedgerows on the vegetation retention and loss plans) will be published at Deadline 5.</p>	Agreed	17/07/24	<p>17/07/2024 WSCC have reviewed Schedule 13 (part 2) of the dDCO submitted at DL5, this does not correctly identify all Important Hedgerows based on ecological or historical features under the Hedgerow Regulations 1997. Table 2-1 of the Outline VRP (Rev A) [REP5-125] provides a clear schedule of hedgerows considered under the definition of Important by the Applicant. This matter is now agreed.</p> <p>26/07/2024 WSCC sought further clarification as to why Schedule 13 (part 2) of the dDCO only states 7 of the 17 important hedgerows identified within the Tree Preservation Order and Hedgerow Plan Rev C [REP4-003]. WSCC request that all important hedgerows, as defined by the Hedgerow Regulations 1997, must be stated for removal within the dDCO (this query was further detailed to applicant by email immediately following discussions). The Applicant suggested that the important hedgerows considered as ecologically important by the hedgerow regs are stated within the dDCO and has taken the action to double check this issue.</p> <p>Deadline 4: new VRP submitted by Applicant and reviewed by WSCC.</p> <p>06/11/2023 – Agreed based on expert-to-expert meeting discussions.</p>
WSCC42 This was a Principal Area of Disagreement for West Sussex County Council	Vague explanation of methodology, aftercare, and assessment of suitable hedgerows/tree lines for the mitigation technique of 'notching'.	<p>Concerns</p> <p>Unsuitable methods of notching. Negligent aftercare and commitment to care requirements during movement of hedgerows. Unknow suitability of method for the hedgerows proposed for this technique.</p> <p>Desired Actions</p> <p>Both the Outline Landscape and Ecology Management Plan</p>	<p>Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037] states that <i>'the ability to successfully implement 'notching' will be assessed on a case-by-case basis as part of further survey to support the development of a detailed design. This will include mapping of the individual component trees within hedges and groups to allow tree removal and retention around notches to be shown on the final tree removal plans with a higher resolution than exists in this assessment.'</i> This information will be presented as part of a set</p>	Agreed	30/05/24	<p>23/07/2024 WSCC welcomes the additional information regarding translocated hedgerows within the OLEMP [REP5-072]; minor changes regarding irrigation were requested by WSCC during a meeting held on 22/07/2024 (not stipulating the number of waterings required, rather address by active monitoring and remedial works). This matter is now agreed.</p> <p>26/06/24: The Applicant and WSCC discussed where the detail of translocation will be presented.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
		(OLEMP) and Outline CoCP should reflect how this will be addressed.	<p>of stage specific Arboricultural Method Statements at the detailed design stage in accordance with Commitment C-282. The methodology for notching and any required aftercare for reinstated hedgerows and treelines will be detailed within a Landscape and Ecological Management Plan in accordance with Commitment C-286.</p> <p>The Applicant is preparing clarification on postconstruction monitoring, reporting and remedial actions to also address this concern.</p> <p>The Applicant welcomes that WSCC noted their support for introducing innovation by implementing notching and translocating hedgerows in a bilateral meeting on 13.12.23. WSCC clarified that they are not asking for this to be dropped by the Applicant.</p>			WSCC- Notes from the previous page turn meeting 30/05/2024 have been removed. Whilst status is agreed, consideration relating to WSCC34a apply here (awaiting submission of D5 revisions of OLEMP).
WSCC43 This was a Principal Area of Disagreement for West Sussex County Council	Replacement planting proposed within the AIA not secured within the Outline Landscape and Ecology Management Plan	<p>Concerns</p> <p>Essential planting rates stated not being secured as a requirement within the DCO.</p> <p>Further Comments: WSCC generally support the tree protection measures and essential replacement planting strategy set out within the environmental mitigation section of the Arboricultural impact assessment (AIA). Stage-specific landscape and ecological management plans (LEMP) will require the delivery of Arboricultural method statements, tree protection plans and landscaping plans; however, WSCC request the outline landscape and ecological management plan and outline code of construction practice are amended to secure the delivery of the LEMP (and relevant contents mentioned above) in</p>	<p>The Outline Landscape and Ecology Management Plan [REP4-047] will be amended to incorporate or cross refer to the replacement planting rates stated within the AIA and better define a planting strategy. This will be published in advance of the examination.</p> <p>The Applicant welcomes that WSCC noted their support the tree planting methodology itself in a bilateral meeting on 13.12.23.</p>	Agreed	13/12/2023	<p>This matter is agreed with WSCC.</p> <p>WSCC- Notes from the previous page turn meeting 30/05/2024 have been removed.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
		accordance with the submitted AIA.				
		<p>Desired Actions</p> <p>Amend the OLEMP to require the replacement planting required as stated within the AIA and include a planting strategy that creates landscape features rather than planting numbers alone.</p>				
WSCC44	Lack of enhancement measures proposed for trees, hedgerows or woodland.	<p>Concerns</p> <p>Enhancement of existing features were expected as mitigation.</p> <p>Desired Actions</p> <p>Enhancements of existing retained features should be adopted within the OLEMP.</p>	<p>The ability to deliver enhancement planting is dependent on landowner agreement. Without a detailed design, agreeing to any enhancements with any given landowner would be difficult. The Appendix 22.15: Biodiversity Net Gain Information, Volume 4 of the ES [REP3-019] allows for discussion with landowners in the first instance to deliver enhancements, compensation and gain (through the calculation of BNG using the Statutory Biodiversity Metric (Natural England and Other Parties, 2023)) which will involve tree and hedgerow planting. Further the Outline Landscape and Ecology Management Plan [REP3-037] allows for smaller scale local enhancements to be delivered as part of the restoration (outside of formal BNG delivery).</p> <p>It is the Applicants intention to discuss the potential delivery of new or enhanced habitats once detailed design has identified the losses which are expected to be less than those assessed within the Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [REP4-037].</p>	Agreed	26/06/24	<p>26/06/24: WSCC have agreed the change in position based on the following reasoning:</p> <p>WSCC acknowledges that the principal enhancement for trees and hedgerows across the Project will derive from planting as proposed within the BNG Information, the provision to allow small scale local enhancements within the OLEMP (outside of the BNG delivery) has also been recognised. In addition, the S106 funding relating to trees and hedgerows (which has been agreed in principle with both parties) will contribute towards the enhancement of affected trees and hedgerows near or within highways and rights of ways.</p> <p>20/06/24: The Applicant proposes that this matter moves from yellow to green on the basis that the desired actions have been delivered and on the basis that the Applicant has offered compensation and enhancement through BNG and relevant S106 compensation which delivers hedgerow and tree planting.</p> <p>Applicant's position has been updated. Following Deadline 4 submission there is the potential to meet and agree the position with WSCC.</p> <p>The LEMP has been updated as noted in the Applicant's position.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
WSCC45	Concerns relating to Vegetation Retention Plans	<p>Concerns (summarised from WSCC's Deadline 4 submission [REP4-086]):</p> <ul style="list-style-type: none"> VRPs shown within OCoCP (Rev D) [REP4-043] have not identified coppicing requirements, which the OCoCP states has been identified. Additional keys on VRPs required to provide better clarity of constraints. VRPs do not show final locations of vegetation removal. VRPs to reflect vegetation loss required for all access points and reduce losses where possible. VRPs to identify where haul roads require vegetation loss despite trenchless crossings being utilised (3x locations?). VRPs need to correctly identify permanent vegetation loss (such as the location of accesses A-42 & A-67). VRP (or associated document) to identify: <ul style="list-style-type: none"> a. Clearance/retention of H307. b. Missing tree lines and hedgerows between H284 and H277. c. Potential missing hedgerow between and connecting H506 and H518. 	<p>The Applicant has updated the OCoCP to clarify that the Outline Vegetation Retention and removal Plan (to be submitted at Deadline 5) does not show vegetation management such as reducing hedgerows in height or tree pruning. The changes note that the extent of vegetation management will need to be agreed on a case by case basis with the local highways authority at the detailed design stage, accounting for the range of traffic management measures that may be implemented.</p> <p>The Outline Vegetation Retention and Removal Plan (to be submitted at Deadline 5) includes additional information, particularly on a combined plan showing multiple habitat types, such as important hedgerows and temporary and permanent habitat losses.</p> <p>The Outline Vegetation Retention and Removal Plan do not show the final location of losses as this requires the detailed design to be completed.</p> <p>The Outline Vegetation Retention and Removal Plan does include vegetation loss at all access points, based on a realistic worst case scenario. Reductions in losses may be achievable at the detailed design phase when information such as the types of vehicles, size of cable drums and types of plant to be used are finalised.</p> <p>The Outline Vegetation Retention and Removal Plan identify the vegetation losses within trenchless crossings when a haul road is required.</p> <p>The Outline Vegetation Retention and Removal Plan does identify all permanent habitat losses. It is noted that habitat losses at A-42 and A-67 are temporary and will be subject to reinstatement.</p> <p>The Applicant has confirmed that H307 is retained. There is an existing track running through the hedgerow that has been created in the last two to three years to construct a new slurry lagoon. Therefore the Outline Vegetation Retention and Removal Plan is correct in the data that is being displayed.</p>	Agreed	23/07/2024	<p>23/07/2024: This matter is now agreed. The Applicant has provided further information addressing comments made in the WSCC's Position in both the Applicant's Position and through Deadline 5 submissions (The Outline VRRP). During a meeting held on the 22/07/2024, WSCC requested that semi-improved grasslands at Crateman's Farm, Cowfold are included in the Grassland VRRP. The Applicant agreed to amend the Grassland plans at Deadline 6. WSCC noted that the OCTMP continues to suggest that passing bays may be required to facilitate construction access A43; the Applicant confirmed that no vegetation loss will be required which had been agreed internally (Applicant to address OCTMP). Further minor concerns were raised regarding Kent Street amendments by email (dated 22/07/2024). Subject to the above amendments and considerations, WSCC withdraws its concerns regarding ecological issues and the VRRP.</p> <p>08/07/24 (WSCC): As A-42 is proposed to be moved to the east within the centre of the hedgerow H197 (for the section in parallel to the road), and is an operational access, it is the current understanding that most losses to create this access for operational use would have to be permanent. A-67: the Applicant informed on the 26/06/24 that operational access is required at A-67 and would be a permanent loss of circa. 3m of newly planted hedgerow (planted in mitigation of Rampion 1) which is not currently shown on submitted VRPs.]</p> <p>Further clarification is needed to understand whether this recently created track is a permanent track and does not require reinstatement for other legal permissions (such as Hedgerow Regs or planning permission). Otherwise for material consideration purposes, this should be reflected in the baseline survey. We will review the submitted document as this is not shown within existing VRPs.</p> <p>The OCTMP (p.156 of the doc or P. A64 of Appendix A) still identifies the access is located via</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
		<ul style="list-style-type: none"> Identify how VRPs (or newly proposed detailed VRPs) will reflect accesses A-21 & A-22 which are currently not indicatively designed. Identify on VRPs if the clearance of H197 is permanent or temporary. VRP to label H201a Confirm vegetation loss required at a worst case to facilitate access A-43b. VRP to identify correct management for H246 & H380. If applicant confirms access A-56 can be utilised for operation use only, reflect required changes to W503 within VRPs. VRPs to further clarify tree/hedgerow loss on Kent Street, including H505 in relation to access A-61 (tree line impacted as well?). VRP to further clarify loss of H505 in relation to access A-64. VRP to reflect hedgerow loss at access A-66 (if required based on OCTMP). <p>Desired outcomes:</p> <p>Applicant to address concerns through written response to WSCC's Deadline 4 submission</p>	<p>The Outline Vegetation Retention and Removal Plan shows a tree line (W680) between H284 and H277.</p> <p>Between H506 and H518 planting is defunct. It is noted that this is a location targeted for advanced planting in the indicative landscape plan to encourage connectivity.</p> <p>The Outline Vegetation Retention and Removal Plan shows losses for A-22. A-21 does not require losses to the tree line as there is a large gap present through which a haul road would pass if this was the favoured option.</p> <p>Clearance at H197 is temporary and is associated with Access A-42.</p> <p>Missing label for H201a has been added to the Outline Vegetation Retention and Removal Plan.</p> <p>All access points have vegetation losses based on a realistic worst case scenario.</p> <p>The realistic worst case scenario at H246 is to see a temporary loss of 14m as shown on the Outline Vegetation Retention and Removal Plan.</p> <p>The realistic worst case scenario at H380 is to see a temporary loss of 6m as shown on the Outline Vegetation Retention and Removal Plan.</p> <p>The Applicant has needed to maintain A-56 as a construction access and therefore losses at W503 have been maintained on the Outline Vegetation Retention and Removal Plan.</p> <p>Losses at H505 are to provide access to the cable corridor south of the substation. This stretch of Kent Street is characterised by hedgerow with standard trees as opposed to a tree line.</p> <p>Access A-64 is on the opposite side of the road to H505 and therefore remains unaffected by it. H509 is shown on the Vegetation Retention and Removal Plan as losing 10m temporarily.</p> <p>Access at A-66 is via a tarmac drive. There is no hedgerow loss necessary at this operational access point.</p>			<p>a hedgerow, see photo. Documents need to be clear and consistent.</p> <p>26/06/24: WSCC clarified that outline VRPs need to reflect the final worst-case scenario presented and align with the OCoCP (as well as other application documents such as the OCTMP and AIA). Detailed VRPs, to be proposed for approval as part of stage-specific CoCPs, must detail the location and nature of vegetation management; for example, the location and extent of coppicing and other vegetation management (the Applicant stated the location of proposed hedgerow translocation would also be presented). WSCC also identifies that at DL4, WSCC requested a tabular schedule of the vegetation removal plans is secured. Whilst requested to be required within the stage-specific LEMPs, it may be more suitable to be included within stage-specific CoCPs.</p> <p>The securing mechanism for the above points have not yet been identified in full and should be reflected within the OCoCP (with proposed requirement 40 (VRPs) to secure aspects of above).</p> <p>The Applicant stated the OCoCP has been updated for submission at Deadline 5 to address the remaining points raised by WSCC. The Applicant ran through a number of responses regarding WSCC's Deadline 4 submission [REP4-086] Deadline 5 ExAQs related to the OCoCP and summarised the amendments to be expected at DL5 as part of the expert-to-expert meeting.</p> <p>WSCC proposes that this matter could move from yellow to green once revisions of the OCoCP have been submitted at DL5 (or if WSCC receive draft revisions in advance and are able to respond prior to DL5), on the basis that revisions fully address concerns raised.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicants Position	Current Status	Date of Agreement	Record of Progress
		[REP4-086], as well as amending the OCoCP (inc. VRPs) and OCTMP where appropriate to provide clarity on how matters have or will be addressed.				

Table 3-10 Status of discussions related to Transport

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
<p>WSCC46</p> <p>This was a Principal Area of Disagreement for West Sussex County Council</p>	<p>Insufficient justification and supporting information for proposed temporary and permanent access arrangements.</p>	<p>Concerns</p> <p>Concern about the number temporary accesses particularly onto rural roads and the A283. In various instances, there are two or more accesses in close vicinity (e.g., A01 and A02, and A40 and A41. There is limited information for the accesses themselves. Whilst some design information can be secured through the DCO process and provided as each phase of works progresses, certainty would be required that the accesses indicated are feasible.</p> <p>Desired Actions</p> <p>The Applicant should seek to reduce the number of accesses or justify the need and purpose for those accesses shown.</p>	<p>Temporary construction accesses will be designed in accordance with DMRB guidance (Standards for Highways, 2023) and/or Manual for Streets (DfT 2007) to meet relevant WSCC requirements where appropriate. All temporary access are required to support the safe and efficient construction of the Proposed Development, with consideration for the transient nature of the construction process and different construction processes (open cut trenching / trenchless crossings).</p> <p>Further to this, the Applicant is preparing additional information for key junctions, including concept designs and completion of Road Safety Audits, with the aim of reaching an agreement in principle to the proposals before the end of the DCO examination. Details of Road Safety Audit requirements for all construction traffic junctions (as per WSCC's Local Impact Report) is provided in Appendix C of the Outline Construction Traffic Management Plan [REP4-046]. Further design work relating to accesses, with a consideration of ecology and landscape effects, was presented to the examination in 8.61 Technical Note Construction Access Update Assessment Summary [REP3-055].</p>	<p>Agreed</p>	<p>02/07/24</p>	<p>02/7/24 This matter is agreed. This was agreed at expert-to-expert meeting that number of accesses is justified. See next row for feasibility and status of agreement of accesses.</p> <p>27/06/24: There has been active email exchange on transport matters between deadline 4 and now – and an expert-to-expert meeting has been requested to close off status.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed if necessary</p> <p>WSCC 07/03/2024 — For the purposes of the PADS, the issues were consolidated into one. For the SOCG, these issues should be split into two areas as indicated here.</p> <p>This better represents the outstanding issues in terms of the broad principle of accesses and the requirement for more detailed information. It will also be easier to track the Applicants responses.</p>
<p>WSCC47</p> <p>This is a Principal Area of Disagreement for West Sussex County Council</p>	<p>Insufficient justification and supporting information for proposed temporary and permanent access arrangements.</p>	<p>There is limited information for the accesses themselves. Whilst some design information can be secured through the DCO process and provided as each phase of works progresses, certainty would be required that the accesses indicated are feasible.</p> <p>Desired Actions</p>	<p>WSCC has listed those accesses for which it seeks further information through provision of Road Safety Audits. The Applicant has provided this direct to WSCC. further details will be approved through the discharge of Requirements 15 and 16.</p> <p>Details of Road Safety Audit requirements for all construction traffic junctions (as per WSCC's Local Impact Report) is provided in Appendix C of the Outline Construction Traffic Management Plan [REP4-046].</p>	<p>Not Agreed- No Material Impact</p>	<p>30/07/24</p>	<p>30-07-23 – All Stage One RSAs have been submitted and discussed. However, the process concerning these (i.e. the completion of the RSA Responses) is incomplete at the time of writing. It is therefore the view of WSCC that this item remains not agreed and outstanding.</p> <p>23-07-24 – WSCC: Whilst some Stage One RSAs have been received, at the time of writing these are not formally agreed with the Designers Responses and Agreed Actions not yet complete. As such, this point remains outstanding. Notwithstanding this point, WSCC accept and acknowledge that the OTCMP establishes the principles that will govern temporary access design with there being</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		Provide sufficient information to support and demonstrate the proposed access arrangements are feasible and can be delivered. Agree the extent of information that is required to support the detailed access designs.				<p>provisions within the DCO itself that require details to be submitted to and agreed with WSCC.</p> <p>2-7-24 awaiting Road Safety Audits, then could be agreed</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call. Date to be confirmed if necessary</p> <p>WSCC has listed those accesses for which it seeks further information through provision of Road Safety Audits.</p> <p>04/24: The Applicant is undertaking these audits and will provide such information direct to WSCC</p>
WSSC48 This was a Principal Area of Disagreement for West Sussex County Council	Mitigation included within the Outline Construction Traffic Management Plan (OCTMP) (REP4-046)	<p>Concerns</p> <p>Locations are identified as requiring access via single track roads. No mitigation or management measures are detailed. For example, it is unclear how access would be managed on Michelgrove Lane (a single-track road) where an open cut trench highway crossing is proposed. The existing wording covering the extent of highway condition surveys within the OCTMP is unclear.</p> <p>Desired Actions</p> <p>Additional measures would need to be included in the OCTMP to cover these matters</p>	<p>Two Construction Access Traffic Management Strategies have been provided appended to 7.6 Outline Construction Traffic Management Plan [REP4-046] which set out proposals for use of single track roads at Kent Street and Michelgrove Lane. These would be for highways authority approval under Requirement 24. Passing places for both roads are included within the Order Limits shown on 2.2.2 Onshore Works Plans [PEPD-005], and in detail within the Strategies document.</p> <p>Procedure for open cut trench crossing of highways is explained from 8.2.8 of 7.6 Outline Construction Traffic Management Plan [REP4-046].</p> <p>Details of highway condition surveys was updated at D3 and included within paragraphs 8.4.31 and 8.4.32 of the OCTMP. The OCTMP states that for highway condition surveys “the scope, extent and requirement of any survey may vary from location to location and will be agreed with WSCC / NH”, so the highway authority will have approval over the nature of these works.</p>	Agreed	02/07/24	<p>23-07-24 – this has been agreed. Further revision of the OCTMP (revision F) provided as part deadline 5 submissions. Whilst WSCC seek to retain some flexibility regarding traffic management measures (especially for A-28 where temporary traffic signals are indicated to be required for a number of weeks), the OCTMP rev F is otherwise acceptable.</p> <p>2-7-24 agreed at expert-to-expert meeting on basis that revised CTMP is shared pre-D5 with WSCC to confirm changes have been implemented</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary</p> <p>WSCC 14/02/2024- These passing places aren't mentioned in any of the documentation. There are no plans showing the location or anything demonstrating these can be provided.</p> <p>The Applicants Position also covers the one example location quoted. There are other locations and other issues (e.g. Kent Street which is also narrow). As such, there are more general issues that need to be dealt with through discussions.</p> <p>Similar to the above, it might be better to break down the issues into bullet points or separate</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC49	Scope of methodology of traffic assessments	The Applicant and WSCC have had extensive pre-examination discussions to agree the assessment methodology and suitability of the baseline data used within ES Volume 2 Chapter 23 Transport (APP-064) and the subsequent Chapter 23 ES Addendum (REP1-006). These matters are agreed.	The Applicant welcomes WSCC's agreement on this topic	Agreed	25/03/24	This is agreed with WSCC. Agreement reflects WSCC's response to the first set of Examining Authority's Written Questions [REP3-073]
WSCC50	Calculations of construction traffic estimates	WSCC has requested further clarity in terms of the calculation of construction traffic movements. Whilst information is still included within the Applicant's response to the WSCC LIR, this response is still high level. WSCC acknowledge that vehicle movements are based upon estimates of materials required and the duration of activities, but it would still be beneficial for some scrutiny to be applied to these calculations given they are underpinning the transport assessment.	The construction traffic calculations used within Appendix 23.2: Traffic Generation Technical Note [REP3-021], Chapter 23: Transport, Volume 2 of the ES [APP-064] and Chapter 32: ES Addendum [REP1-006] are based upon the Proposed Development's outline design to-date. Therefore, a highly conservative approach has been taken to assess the worst-case scenario for potential traffic impacts. The traffic calculations are sensitive to certain activities, for example the construction of temporary accesses and haul roads will require the import and then export (reinstatement) of stone for the temporary surface. For these values, conservative values have been used to determine the traffic volumes.	Agreed	26/06/24	WSCC reviewed the Traffic Generation Technical Note Rev C [REP3-022] at Deadline 4. No further points of action were raised. The contents of this is agreed with WSCC. 30/05/24- WSCC confirmed they will review status following deadline 4 submissions. Suggestions made to WSCC for a further expert to expert call if necessary

Table 3-11 Status of discussions related to Minerals Safeguarding

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
<p>WSCC51</p> <p>This was a Principal Area of Disagreement for West Sussex County Council</p>	<p>Robustness of Minerals Assessment (Chapter 24 of the ES [APP-065]).</p>	<p>Concerns</p> <p>Concerned that proper consideration has not been given to avoiding needless sterilisation of safeguarded minerals. The assessments focus on current demand for minerals (clay and building stone) rather than on safeguarding minerals for future generations, as intended by national policy. No Mineral Resource Assessment has been provided giving consideration to;</p> <ul style="list-style-type: none"> a quantitative assessment, setting out potential volumes of material that could be recovered or would be sterilised; an assessment against the West Sussex Joint Minerals Local Plan safeguarding policy (M9); consideration of discussion with local mineral operators on making use of any materials recovered; and severance. <p>Desired Actions</p> <p>A robust minerals resource assessment should be undertaken, that is consistent with WSCC minerals safeguarding</p>	<p>At this meeting, WSCC acknowledged that the preparation of a full, detailed minerals resource assessment would be difficult to achieve and that the response at this stage of the Project must therefore be appropriate. The discussion therefore focussed on the measures needed to confirm how safeguarded minerals encountered by the Project would be managed. It was agreed that more detail can be provided in the Outline Code of Construction Practice (OCoCP) [REP4-043] which commits to production of a Materials Management Plan (MMP).</p> <p>The Applicant also took the action to clarify why prior extraction is not reasonable/ practical in clearer terms.</p> <p>The Applicant subsequently submitted information at Deadline 4 on why prior extraction is not viable based around the thin, linear nature of the cable corridor providing a limited size for the working area available and for the accommodation of appropriate slope angles on the extraction faces. Additionally, if prior extraction was viable, the resulting open pit would either need re-filling with imported material or would remain as an open void in the landscape creating visual impact issues in the National Park. Full details are provided within REP4-070, sections 2.1.74-2.1.80.</p>	<p>Agreed</p>	<p>19/07/2024</p>	<p>19/07/2024: The Applicant and WSCC held an expert-to-expert meeting, and agreed to amendments required to overcome concerns that are being submitted by the applicant at D6. This is now agreed with WSCC.</p> <p>27/06/24: WSCC confirmed this is heading in the right direction, further comments have been made at Deadline 5 which will need to be addressed.</p> <p>30/05/24- WSCC confirmed they will review status following deadline 4 submissions.</p> <p>23/04/24: The Applicant and WSCC held an expert-to-expert meeting. The outcome is summarised in the Applicant's Position statement column. Notably, it was agreed that more detail will be provided in the Outline Code of Construction Practice (OCoCP).</p> <p>The Applicant also took the action to clarify why prior extraction is not reasonable/ practical in clearer terms.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		guidance and gives full consideration of the WSCC Joint Minerals Local Plan safeguarding policy (M9). This will enable the Secretary of State, as the decision maker for the Project, to consider whether there is an overriding need for the Project that outweighs the safeguarding.				
WSCC52 This was a Principal Area of Disagreement for West Sussex County Council	Mitigation against mineral sterilisation – CoCP and Materials Management Plan (MMP)	<p>Concerns</p> <p>Little information is provided on mineral safeguarding in the CoCP; therefore, it is not clear if the MMP will be fit for purpose, ensuring needless sterilisation is avoided.</p> <p>Desired Actions</p> <p>The CoCP should be strengthened, and a clear mechanism put in place to secure prior extraction or to demonstrate that prior extraction is not practicable or environmentally feasible.</p>	<p>The Outline CoCP [APP-224] commits the Materials Management Plan (MMP).</p> <p>REP4-070 (sections 2.1.74-2.1.80) presents further information on the how the MMP (to form part of the CoCP) will recognise and manage minerals safeguarding through the mitigation measures used in the handling of minerals materials encountered. This states that the MMP will contain a separate section on minerals which will provide the following information:</p> <ul style="list-style-type: none"> • How minerals will be identified and differentiated from other sub-soil materials to be excavated, to determine if they do exist (quantity and quality) within the excavations undertaken. • How any identified minerals will be extracted and stored to ensure that they are kept separate from, and not sterilised through contamination with, other materials; • How the stored minerals will then be re-used in the cable construction and reinstatement works to minimise their mixing with other excavated materials being replaced; and • Should there be any minerals available following the construction and reinstatement works, how other options for the re-use of this material, either within, or outside the development, will be considered and implemented, as per the WSCC Safeguarding Guidance and subject to agreement with the minerals rights owner. <p>In this way, all minerals encountered will either remain available for future extraction after the operational phase of the Project is complete or be used as a</p>	Agreed	19/07/2024	<p>19/07/2024: This is agreed with WSCC. The Applicant and WSCC held an expert-to-expert meeting, and agreed to amendments required to overcome concerns that are being submitted by the applicant at D6.</p> <p>27/06/24: The Outline Code of Construction Practice [REP3-025] was also updated at DL 4.</p> <p>Accompanying this, REP4-070 (sections 2.1.74-2.1.80) contains fuller information on the how the MMP (to form part of the CoCP) will recognise and manage minerals safeguarding through the mitigation measures used in the handling of minerals materials encountered.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			<p>resource and are therefore safeguarded from permanent sterilisation.</p> <p>The Outline Code of Construction Practice [REP3-025] was also updated to reflect this position.</p>			

Table 3-12 Status of discussions related to Historic Environment

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC53 This was a Principal Area of Disagreement for West Sussex County Council	Risk of significant effects upon the historic environment	<p>Concerns</p> <p>Due to the scale of the proposals, significant effects upon the historic environment are inevitable. Given the absence of field evaluation, the presence of nationally significant archaeology has not yet been ruled out.</p> <p>Desired Actions</p> <p>The risk of harm is a function of the scale of the project but can be partially offset by an agreed scheme of appropriate and proportionate investigation, mitigation, and public outreach.</p> <p>Ongoing discussions with the Applicant will be required to further refine the proposed mitigation strategy proposed by the Applicant within the Onshore Outline Written Scheme of Investigation (OOWSI; APP</p> <p>The scale of the project means that certain aspects of mitigation, archiving and public outreach may need to be addressed via additional S106 funds, in order to ensure that the anticipated reduction in harm is delivered.</p>	<p>The assessment within Chapter 25: Historic environment, Volume 2 of the ES [REP4-024] identifies significant effects on historic environment receptors.</p> <p>The Planning Statement [APP-036] outlines the position with regards the planning balance with regard to the benefits of the project and the harm to heritage assets that is identified in Chapter 25: Historic environment, Volume 2 of the ES [REP4-024], as per paragraphs 4.7.66 and 5.4.10 of the Planning Statement [APP-036].</p> <p>Commitments C-225 and C-79 in the Commitments Register [REP4-057] provide for mitigation through design and archaeological recording.</p> <p>The Outline Onshore Written Scheme of Investigation (WSI) [REP3-035] sets out the methodological approach for archaeological investigations which ensures further investigation will be undertaken prior to construction.</p>	Agreed	06/11/2023	This is agreed with WSCC.
WSCC54 This is a Principal Area of Disagreement for West Sussex County Council	Risk of harm to nationally significant heritage assets within areas of exceptionally high archaeological potential and significance –	<p>Concerns</p> <p>Risk of harm to nationally significant heritage assets where the cable corridor intersects with an area of exceptionally high archaeological significance, potential and sensitivity.</p> <p>A multi-period prehistoric landscape characterised by Early Neolithic flint mining features. Consideration of</p>	<p>The onshore cable route selection process took into consideration the potential for archaeological remains of high heritage significance to be present across all alternative routes, as evidenced by available baseline data and reflected in the archaeological notification areas. This was balanced against other criteria as described in Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</p>	Not Agreed- No Material Impact	26/07/2024	<p>29/07/24: WSCC recognises the Applicant's efforts to avoid or minimise harm to nationally significant heritage assets.</p> <p>The agreed amendments to C-225 and dDCO Requirement 19 (to be submitted by the Applicant at Deadline 6), as well as updates to the OOWSI (see WSCC61) have resulted in a meaningful reduction in the magnitude of risk to nationally significant heritage. This is because its preservation in situ will be secured</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
	Cable corridor section LACR-01d.	<p>alternatives appears to give insufficient weighting to this significant historic environment constraint.</p> <p>Desired Actions</p> <p>It cannot currently be demonstrated that mitigation will reduce potential harm to acceptable levels.</p> <p>A bespoke programme of field evaluation should be undertaken during the Examination for LACR-01d, to assess the potential for nationally significant archaeology, to characterise significance and to confirm the impacts of the Project upon the affected assets.</p> <p>The Applicant should provide further details on the feasibility of and on methodologies for the 'avoidance by micro siting' approach, in order to demonstrate that this form of mitigation can reliably be delivered in the event of previously undiscovered remains of high or national significance.</p>	<p>The assessment presented in Chapter 25: Historic environment, Volume 2 of the ES [REP4-024] is based on a worst case scenario. Therefore, the Applicant considers that further investigation would not change the outcome of the assessment. Taking a landscape approach and considering all available desk-based and geophysical survey data, Chapter 25: Historic environment, Volume 2 the ES [REP4-024] identifies a high potential for archaeological remains of high heritage significance within the area of the South Downs.</p> <p>Commitments C-225 and C-79 in the Commitments Register [REP4-057] provide for mitigation through design and archaeological recording.</p> <p>The Outline Onshore Written Scheme of Investigation (WSI) [REP3-035] sets out the methodological approach for archaeological investigations which ensures further investigation will be undertaken prior to construction. This has been expanded to explain the process for avoidance by design and to confirm that this is the preferred approach. No further fieldwork is planned prior to consent, as explained in the Applicant's response to WSCC's Deadline 1 Submissions [REP2-020] (References 15f, 15.1, 15.6 & 15.82)</p>			<p>where appropriate and proportionate by the relevant commitments and control documents.</p> <p>Nevertheless, the Project still carries risk of harm to nationally significant heritage assets within this area, in the event that they are assessed as not suitable for preservation in situ, or that the range of design and engineering solutions proposed by the Applicant may not be feasible. A degree of risk and harm therefore still remains. This is therefore not agreed by WSCC.</p> <p>26/07/24</p> <p>Following continued discussions with WSCC, it was confirmed that agreement has now been reached regarding the wording of the dDCO requirement 19 on the basis that the risk of residual harm to nationally significant archaeological remains has been meaningfully reduced</p> <p>23/07/2024</p> <p>Agreement on the wording of dDCO requirement 19 could not be reached prior to Deadline 6. WSCC therefore must maintain the position that the Project carries high risk of harm to nationally significant heritage assets.</p> <p>WSCC recognises the Applicant's efforts to avoid or minimise such harm by the amendments to C-225 and dDCO Requirement 19 at Deadline 5, as well as updates to the OOWSI (see WSCC61). This has resulted in some reduction of the magnitude of risk.</p> <p>However, the wording of dDCO requirement 19 currently proposed by the Applicant is currently not quite sufficiently robust to guarantee preservation in situ of any such (suitable) archaeological remains, in the event they cannot be avoided by design and engineering solutions.</p> <p>WSCC suggests that the wording of dDCO requirement 19 revert to that suggested by WSCC and supported by the ExA in [REF].</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						<p>30/05/24 Shifted to Not Agreed following WSCC call 02/07/2024</p> <p>Wording changes to C-225 and dDCO Requirement 19 are currently being finalised. Once these have been agreed with the Applicant, WSCC will be satisfied that risk of harm to nationally significant archaeology will have been significantly reduced. This is because its preservation in situ will be secured where feasible by the relevant commitments and control documents.</p> <p>There remains a risk in the event of discovery of nationally significant remains where additional HDD/trenchless crossings are identified as the only feasible means of avoidance. As trial trenching has not been undertaken, the presence and location of any such features is unknown. And therefore, any additional TCs that may be required on archaeological grounds are not currently within the scope of the Project. An application for a material amendment to the DCO would likely be required; the approval of which cannot currently be guaranteed and may be rejected on the basis of other constraints. There therefore remains a degree of risk to nationally significant archaeology which cannot be mitigated. Concerns remain over the scale of harm to other aspects of the prehistoric landscape in question, individual elements of which might be of high (but not quite meet the threshold for national) significance. The approved programme of archaeological mitigation will reduce, but not negate, that harm.</p> <p>This item therefore currently remains as Not Agreed-Material Impact</p> <p>WSCC 07/03/2024 –Further discussion with the Applicant will be required. WSCC strongly feels that further assessment is justified and required, as it would quantify the likelihood and severity of potential harm to nationally significant heritage assets of archaeological interests. This would allow PINS to more fully and accurately assess the impacts of the Project upon the historic environment</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
<p>WSCC55</p> <p>This is a Principal Area of Disagreement for West Sussex County Council</p>	<p>Cultural Heritage</p> <p>Concern about LACR-01d of the cable route being taken forward as part of the Project.</p>	<p>Concerns</p> <p>WSCC has a significant concern about option LACR-01d taken forward by the Applicant. The archaeological sensitivity of this section of the route is exceptionally high.</p> <p>Desired Actions</p> <p>Evidence that the preference for Option 1d has given sufficient weighting to heritage assets as part of the decision making process.</p> <p>Applicant to undertake field evaluation at the earliest opportunity, with the results used to update the ES assessment. This will;</p> <ul style="list-style-type: none"> - Help confirm or rule out the presence of nationally significant remains and the likelihood of unacceptably high levels of harm to the historic environment - Confirm the significance of the affected archaeological heritage assets and - Confirm the impacts of the Project upon the affected assets. <p>In the event that field evaluation during the Examination does not identify significant archaeological remains, WSCC's concerns with this route section would be largely addressed.</p>	<p>Paragraphs 3.4.55 to 3.4.67 of Environmental Statement - Volume 2 Chapter 3 Alternatives [APP-044] provides a detailed description of the justification for the route selection in this location. This includes comparison of alternatives to selected route. As presented in Environmental Statement - Volume 2 Chapter 3 Alternatives [APP-044] paragraphs 3.4.63 and 3.4.66 and the bullet points that follow these, each of the alternative routes presented pass through Archaeological Notification Areas (ANAs) with potential or known archaeological remains of high heritage significance. The high potential for archaeological remains of high heritage significance in the SDNP was given substantial weight (based on their potential and known archaeological significance) in the decision-making process, in accordance with the protection afforded by policy in NPS EN-1 (2011). Based on the available historic environment evidence, when comparing the environmental effects or policy outcomes during the decision-making process, there was no material difference for each route for archaeology.</p> <p>The Applicant has responded to this as part of the Applicant's response to WSCC's Deadline 1 Submissions [REP2-020] (References 15f, 15.1, 15.6 & 15.82)</p>	<p>Not Agreed-No Material Impact</p>	<p>30/05/24</p>	<p>29/07/2024</p> <p>This is not agreed. Please see comment on WSCC54</p> <p>23/07/2024</p> <p>Please see comment on WSCC54</p> <p>02/07/2024</p> <p>Please see response to WSCC53</p> <p>This item currently remains as Not Agreed-Material Impact</p> <p>Shifted to Not Agreed following WSCC Call 30/05/24</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC56 This was a Principal Area of Disagreement for West Sussex County Council	Lack of archaeological field evaluation – Landfall, onshore cable corridor and substations	<p>Concerns</p> <p>The application has not been informed by sufficient archaeological or geoarchaeological field evaluation. The significance of the affected heritage assets and impacts of proposals cannot be fully understood on the basis of the available evidence.</p> <p>Desired Actions</p> <p>An appropriate and proportionate programme of archaeological and geoarchaeological investigation should be undertaken, in line with methodologies set out within the Outline Onshore Written Scheme of Investigation (OOWSI).</p>	<p>The assessment in Chapter 25: Historic environment, Volume 2 of the ES [REP4-024] is supported by comprehensive baseline information present in the chapter and associated appendices in Volume 4 of the ES [APP-199 to 202, APP-211, PEPD-031 and PEPD-113 to PEPD-119]. Where there are limitations in the availability of survey data and other baseline information to support the assessment of potential and significance of archaeological remains, a reasonable worst-case has been assumed in the assessment.</p> <p>Commitments C-225 (updated by the Applicant within the Outline Code of Construction Practice [REP4-043] (submitted at the Pre-Examination Procedural Deadline A on 16 January 2024)) and C-79 in the Commitments Register [REP4-057] (updated at the Deadline 3 submission) provide for mitigation through design and archaeological recording. This will be secured through the Outline Onshore Written Scheme of Investigation (WSI) [REP3-035], which also sets out the methodological approach for archaeological investigations which ensures further investigation will be undertaken prior to construction. The Outline Onshore WSI [REP3-035] is secured by Requirement 19 of the Draft Development Consent Order [REP4-004]. An updated version of the Outline Onshore WSI [REP3-035] was submitted at Examination Deadline 3 following comments received from WSCC and Historic England. The scope of archaeological and geoarchaeological investigations will be detailed in a site-specific WSI.</p>	Agreed	22/07/2024	<p>22/07/2024: This is agreed with WSCC. Following the updates to this document at Deadline 5, WSCC is satisfied with the scope and methodology of mitigation measures set out within the OOWSI. Concerns remain over the lack of field evaluation, especially in areas which were only subject to geophysical survey at the post-submission stage, and where anomalies indicative of significant archaeological features have been identified. Nevertheless, the mitigation measures set out within the OOWSI should be sufficient to avoid harm or to reduce it to acceptable levels.</p> <p>02/07/2024</p> <p>The risk of harm to high or nationally significant remains is overall lower for the other areas of the Order Limits.</p> <p>However, the absence of prior field evaluation means that the significance of any heritage assets affected by the Project cannot be properly characterised as is required by the relevant policy statements. Please see responses to the Examining Authority's First Set of Written Questions (25 April 2024), question HE 1.8, by WSCC [REP3-073] and Historic England [REP3-074] for further detail.</p> <p>The latest results of the geophysical survey [PEPD-031] identify anomalies consistent with archaeological features of high significance. One group lies within the cable corridor and has been identified as an additional Significant residual effect.</p> <p>These remains have not been subject to trial trench evaluation and so their significance, the suitability of mitigation measure proposed by the Applicant in the OOWSI, and the ability of those measures to reduce the magnitude of harm to the extent predicted in the ES, remains unknown.</p> <p>This amounts to high risk of harm to archaeological remains of high significance and is thus considered a material issue, this item therefore is currently Not Agreed-Material Impact</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC57 This is a Principal Area of Disagreement for West Sussex County Council	Lack of prior archaeological field evaluation within areas of exceptionally high archaeological potential and significance – Cable corridor section LACR-01d	<p>Concerns</p> <p>The absence of any intrusive field evaluation within this area of exceptionally high archaeological potential is wholly unacceptable, indicative of an inconsistent approach to field evaluation of high-risk areas. In its absence, there is a reasonably probability of an unacceptably high magnitude of harm to the historic environment.</p> <p>Desired Actions</p> <p>An appropriate and proportionate programme of evaluation should be undertaken within LACR-01d during the Examination, in line with the enhanced methodologies proposed for this area within the OOWSI. This will help identify whether nationally significant archaeology is present within the order limits</p>	<p>The field evaluations set out in the Outline Onshore Written Scheme of Investigation [REP3-035] will be undertaken pre-construction, with the precise timing, scope, extents and sampling size to be determined and subject to further agreement with the relevant consultees. Potential areas of trial trenching, fieldwalking and test pitting are shown in Figures 3 and 4 of the Outline Onshore WSI [REP3-035].</p> <p>The Outline Onshore Written Scheme of Investigation [APP-231] provides relevant overarching research context for further archaeological investigations, which will be further refined and detailed within relevant SSWSIs, to be agreed with the relevant consultees.</p> <p>Trial trenching has been undertaken (and reports included in the application) where geophysical survey indicated probably archaeology. A full geophysical survey has been undertaken of the Archaeological Notification Area, and no features identified for further evaluation. Known features have been avoided by route design. Given the potential for unexploded ordnance in this area, unfocussed intrusive field evaluation is disproportionate at this stage.</p> <p>Provision for geoarchaeological investigations is made in the Outline Onshore Written Scheme of Investigation [REP3-035]. This document was updated at Deadline 3, and includes specific reference to the need for geoarchaeological investigations in the dry valleys.</p>	Not Agreed- No Material Impact	29/07/24	<p>29/07/24: WSCC: An agreement on the revised wording of dDCO requirement 19 has been reached with the Applicant and will be submitted by the Applicant at Deadline 6. This, in conjunction with the changes to C-225 and to the OOWSI, have resulted in a meaningful reduction in the magnitude of risk to nationally significant heritage assets within this area of the Order Limits, as preservation in situ will be secured where appropriate and proportionate by the relevant commitments and control documents. See WSCC54.</p> <p>However, WSCC's position on the lack of field evaluation within this area, and the inability to understand their significance and the suitability of proposed mitigation methods, (as set out in earlier comments below) still stands. Therefore, this is not agreed with WSCC.</p> <p>26/07/24</p> <p>Following continued discussions with WSCC, it was confirmed that agreement has now been reached regarding the wording of the dDCO requirement 19 as requirement 19 will now secure the OOWSI.</p> <p>23/07/2024</p> <p>As it was not possible to reach agreement on the wording of dDCO requirement 19 prior to Deadline 6 (see WSCC54), preservation in situ of nationally significant remains still cannot be guaranteed. WSCC recognises that the magnitude of risk has been reduced via changes to C-225 and dDCO requirement 19 made by the applicant, as well as updates to the OOWSI (see WSCC61). However, WSCC's position on the lack of field evaluation within this area (as set out in earlier comments below) still stands.</p> <p>Please also see response to WSCC54.</p> <p><u>02/07/2024</u></p> <p>Please also see response to WSCC53 and WSCC55</p> <p>The Applicant has chosen not to undertaken pre-determination trial trench evaluation within an area of highest archaeological potential and significance.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						<p>This means that the significance of any affected t heritage assets cannot be properly characterised as is required by the relevant policy statements (see WSCC's Response to Written Question, question HE 1.8 [REP3-073].</p> <p>The lack of trial trenching means the need for and feasibility of additional TCs on archaeological grounds is unknown. And so avoidance of nationally significant remains via additional TCs may not be deliverable due to consenting issues. There therefore remains a degree of risk to nationally significant archaeology which cannot be mitigated, which has arisen in large part from lack of prior evaluation.</p> <p>The recent changes to C-225 and dDCO 19 will reduce risk of harm to nationally significant archaeology but do not alter the fact that the lack of prior evaluation remains a principal area of disagreement for WSCC.</p> <p>This item currently remains as Not Agreed-Material Impact</p> <p>30/05/24- WSCC to consider WSI at Deadline 4</p> <p>17/04/2024- The applicant disagrees with the assertion that the PEIR FSIR identifies a lack of archaeological potential for LACR-01d. The nature and depth of any surviving archaeological remains will be considered against the extent of construction impacts to inform where impacts to archaeological remains may be avoided.</p> <p>WSCC 07/03/2024 –Geophysical survey results for LACR-01d were not available at the time of the PEIR FSIR consultation and therefore the lack of prior trial trench evaluation appears to have been a decision based more upon timing than upon a demonstrable lack of archaeological potential.</p> <p>WSCC notes that the subsequent geophysical survey results identified multiple discrete anomalies within this area that are interpreted as mining or extractive features of unknown (possibly prehistoric) date. The absence of geoarchaeological investigations means the depth of overburden within dry valleys remains</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						unknown and the accuracy of the geophysical survey results is therefore unconfirmed
WSCC58 This was a Principal Area of Disagreement for West Sussex County Council	Issues with some ES assessment methodologies	<p>Concerns</p> <p>WSCC disagrees with some aspects of the ES assessment methodology, principally the assessment of significance for high value heritage assets; magnitude of change; assessment of effects of mitigation; substantial vs less than substantial harm and how these equate to the EIA assessment framework; and what constitutes a 'worst-case scenario'.</p> <p>Desired Actions</p> <p>The ES methodology should be updated following discussions with consultees to ensure more appropriate assessment of these areas.</p>	<p>Whilst the nature of any disagreement is not made clear, it is noted that the assessment methodology followed in the ES is consistent with the methodology that was set out within the Scoping Report. It is also consistent with the approach which has been used in previous environmental assessments for other recent NSIPs such as Sizewell C nuclear new build and Yorkshire Green grid connection. In those cases, the approach was not objected by relevant consultees and by the Examining Authority.</p> <p>Further details of specific concerns are provided within the Local Impact Report [REP1-054]. The Applicant has responded to this as part of the Applicant's response to WSCC's Deadline 1 Submissions [REP2-020] (Reference 25.8.15) and to Historic England relevant rep 6.7. The Applicant has also provided a response to a question from the Examining Authority (HE 1.10) on this matter as part of the Applicant's Responses to Examining Authority's First Written Questions (ExQ1) [REP3-051] at Deadline 3.</p>	Agreed	29/07/2024	<p><u>29/07/24</u></p> <p>WSCC agree to this point</p> <p><u>22/07/2024</u></p> <p>As per WSCC comment dated 02/07/2024, there remains a point of disagreement regarding narrative assessment of harm, and assessment of substantial harm.</p> <p><u>02/07/2024</u></p> <p>There is one remaining point of disagreement in regard to ES methodology which has the potential to affect the assessment outcome. This is the methodology for assessing substantial, versus less than substantial harm to designated heritage assets.</p> <p>As raised in previous responses, WSCC is not satisfied that the policy threshold of substantial harm can be automatically and uniformly applied in this manner, nor that such a blunt assessment tool should form the extent of the argument for less than substantial harm. Please see WSCC Deadline 5 submission and WSCC's response to the ExA's Further Written Question HE 2.1 for further detail.</p> <p>WSCC requests the Applicant update the ES chapter text with a more detailed and nuanced assessment to evidence their conclusion of less than substantial harm, this should be based on the specific impacts of the predicted changes to the asset's architectural and historic interest and overall significance. And not solely on equating a Medium adverse magnitude of change in EIA terms, to less than substantial harm.</p> <p>This has been identified as a material issue as a change in the assessment of harm could change the assessment outcomes. Once actioned, this item could then be moved to Green - Agreed</p> <p>17/04/2024- The Applicant has responded to this as part of the Applicant's response to WSCC's Deadline 1 Submissions [REP2-020] (Reference 25.8.15) and to Historic England relevant rep 6.7.</p>

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC59	Effects of proposals upon grade II listed Oakendene Manor (NHLE 1027074)	<p>Concerns</p> <p>WSCC is concerned about the proposed harm to grade II listed Oakendene manor, arising via changes within its setting from construction and operation of Oakendene substation and compounds. WSCC does not consider that there is sufficient evidence to conclusively rule out substantial harm.</p> <p>Desired Actions</p> <p>Embedded mitigations cannot fully offset the identified harm and will be limited by the required functionality of the substation. Identified mitigation (landscaping and design) measures are not yet sufficiently secured by design principles. Options for changes to the indicative layout should be explored, and further details of the design should be provided during the Examination.</p> <p>Where embedded mitigation (design and landscaping) is proposed to reduce harm to Oakendene Manor, there is uncertainty over the extent to which mitigation can be guaranteed/secured and delivered as predicted. The high-level design principles are welcomed but further detail and certainty is required, to understand how these will translate into reduced harm to the setting of Oakendene manor.</p>	<p>This is in accordance with relevant guidance, and the methodology described in Section 25.8 of Chapter 25 Historic Environment, Volume 2 of the ES [REP4-024].</p> <p>The Applicant has now completed additional photography in the vicinity of Oakendene Manor, which was provided to the examination at Deadline 4. The updated assessment of effects on Oakendene Manor (NHLE 1027074) during the operational phase is included in Section 25.10 of Environmental Statement - Volume 2 Chapter 25 Historic environment [REP4-024]. The following visualisations are therefore now available:</p> <p>Viewpoint SA10 located at the edge of the garden area to the south of Oakendene Manor (Figure 18.76, Volume 3 [APP-103]) (updated at deadline 4 [REP4-033]))</p> <p>Viewpoint SA11 at the patio area immediately adjacent to Oakendene Manor (Figure 18.77, Volume 3 [APP-103]) (updated at deadline 4 [REP4-033]))</p> <p>Viewpoint SA3 on PRoW 1786 south of Taintfield Wood (Figure 18.12, Volume 3 [APP-099]) (updated at deadline 4 [REP4-033]))</p> <p>Viewpoint SA12 on PRoW 1787 to the east of Taintfield Wood (Figure 18.78, Volume 3 [APP-103]) (updated at deadline 4 [REP4-033]))</p> <p>This has informed the assessment, along with baseline information on the Oakendene historic parkland and the topography of the site. The assessment</p>	Not Agreed- No material Impact	22/07/24	<p>WSCC 07/03/2024 –Further details of specific concerns are provided within the Local Impact Report.</p> <p>22/07/2024: As WSCC does not disagree with the overall assessment outcome but disagrees with elements of the narrative assessment and methodologies, this item remains as Not Agreed – Non-material.</p> <p>02/07/2024: WSCC welcomes the additional viewpoint photography provided by the applicant. Visualisations have now been provided from viewpoint locations which allow more accurate illustration and assessment of the likely magnitude of change within the manor's setting. The Applicant's assessment is therefore now appropriately evidenced and WSCC is now in a position to agree with the overall assessment of a medium magnitude of adverse change</p> <p>WSCC disagrees with aspects of the narrative assessment of effects on Oakendene Manor within the ES chapter. WSCC finds that the importance of current key views is downplayed, as is the predicted degree of change to these views during and following construction of the substation. This gives a misleading impression of the true magnitude of change to the setting of Oakendene, and the degree to which the ability to appreciate significance will be reduced. Please see WSCC Deadline 5 submission and WSCC's response to the ExA's Further Written Question HE 2.1 for further detail.</p> <p>As discussed above, WSCC also disagrees with the methodology employed for assessing substantial, versus less than substantial harm. Please see Item WSCC57 for further details.</p> <p>27/06/24: an expert-to-expert meeting has been requested to close off status.</p> <p>17/04/2024: The Applicant states that the LVIA team area collecting further viewpoint LVIA team are collecting further viewpoint photography w/c 8th April,</p>

Reference Number	Point of Discussion	WSSC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		<p>Additional visualisations are required in order to fully understand changes within the setting of the manor, and the associated magnitude of harm to the significance of the heritage asset.</p>	<p>also took account of the measures proposed in Outline Landscape and Ecology Management Plan [REP4-047], detailing the indicative landscape plan and design principles, which have been formed with consideration to the setting of Oakendene Manor.</p> <p>The inclusion of additional photography provided to the examination at Deadline 4 has not changed the outcome of the assessment.</p> <p>It is noted that with regard to Oakendene Manor, Horsham District Council has stated that: <i>"HDC confirms that, having reviewed the location of designated above-ground heritage assets within the vicinity of the development and evaluated the contribution that their settings make to the significance of the asset, the impact of the development, including the substation, on these would be less than substantial at the lower end of the scale of that category in all cases of the historic environment and individual heritage assets."</i></p> <p>This response is consistent with the conclusions of the historic environment assessment within Chapter 25: Historic Environment, Volume 2 of the ES [REP4-024].</p>			<p>which will include HE 01 (from the manor itself) as identified in the ES, and they will also take some photography from the proposed VP by WSSC, to review for further comment (decision on whether this will result in a photomontage is to be decided)</p> <p>The Applicant has responded to this as part of the Applicant's response to WSSC's Deadline 1 Submissions [REP2-020] (References 15.3 and 15.8)</p> <p>The Design and Access Statement is being updated by the Applicant as part of Deadline 3.</p> <p>WSSC 07/03/2024 –It is the view of WSSC that the precise degree of harm to the grade II listed heritage asset cannot be fully assessed on the basis of the currently available evidence.</p>
WSSC60	Content and wording of the draft DCO and Commitments Register	<p>Concerns</p> <p>Some of the content and wording of the Commitments Register and draft DCO may not robustly secure the delivery of historic environment commitments.</p> <p>Desired Actions</p> <p>Amend draft DCO and Commitments Register in consultation with WSSC.</p>	<p>The Applicant would welcome specific examples for further discussion.</p> <p>Commitment C-225 in Commitments Register [REP4-057] will be secured in the Outline Onshore Written Scheme of Investigation [REP3-035] (updated at Deadline 3) and the Outline Onshore Written Scheme of Investigation [REP3-035] is secured in Requirement 19 of the Draft Development Consent Order [REP4-004]. A flow chart is appended to the updated Outline Onshore Written</p>	Agreed	29/07/24	29/07/2024: This is agreed with WSSC. WSSC are satisfied with the amended wording of dDCO requirement 19 proposed by the Applicant post-Deadline 5. The agreed amendments to C-225 and dDCO Requirement 19 (to be submitted by the applicant at Deadline 6) have resulted in a meaningful reduction in the magnitude of risk to heritage assets, including those of high or national significance. This is because its preservation in situ will be secured where appropriate and proportionate by the relevant commitments and control documents.

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			<p>Scheme of Investigation [REP3-035] including procedures following discovery of previously unknown archaeological remains.</p> <p>It is noted that the amendments to the Outline Onshore Written Scheme of Investigation [REP3-035] have been positively received by West Sussex County Council with scope for further discussion on the wording of Commitment C-225 and Requirement 19.</p>	Agreed	22/07/2024	<p>26/07/24: Following continued discussions with WSCC, it was confirmed that agreement has now been reached regarding the wording of the dDCO requirement 19 as requirement 19 now provides the securing mechanism sought by WSCC</p> <p>23/07/2024: Agreement on the wording of dDCO requirement 19 could not be reached prior to Deadline 6.</p> <p>WSCC recognises the Applicant's efforts to avoid or minimise harm by the amendments to C-225 and dDCO Requirement 19 at Deadline 5, as well as updates to the OOWSI (see WSCC61). This has resulted in some reduction of the magnitude of risk.</p> <p>However, the wording of dDCO requirement 19 currently proposed by the Applicant is currently not quite sufficiently robust to guarantee preservation in situ of any such (suitable) archaeological remains, in the event they cannot be avoided by design and engineering solutions.</p> <p>WSCC suggests that the wording of dDCO requirement 19 revert to that suggested by WSCC and supported by the ExA.</p> <p>02/07/2024:</p> <p>Wording changes to C-225 and dDCO Requirement 19 are currently being finalised. Once these have been agreed with the Applicant, WSCC will be satisfied that risk of harm to nationally significant archaeology will have been significantly reduced.</p> <p>It is anticipated this item will move to Green once these changes are agreed and reflected in the updated OOWSI.</p> <p>17/06/24 WSCC to confirm this can be turned to agreed following updates to the WSI</p> <p>WSCC 07/03/2024 –Further details are set out within the Local Impact Report.</p>
WSCC61	Scope and methodology of mitigation measures set	<p>Concerns</p> <p>The OOWSI sets out overarching archaeological mitigation measures which in general will allow for</p>	Further engagement with WSCC on the Outline Onshore Written Scheme of Investigation [REP3-035] is underway. The ExA has requested at the ISH2 that			

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
for West Sussex County Council	out within the OOWSI	<p>appropriate and proportionate mitigation, to be secured via the SSWSIs. However, some areas require addressing, including timing, scope and methodologies of mitigation measures; research questions and on securing 'avoidance by micro-siting'.</p> <p>Desired Actions</p> <p>Ongoing consultation with WSCC and Historic England to address concerns and finalise timing, scope and methodology for trial trench evaluation, fieldwalking and test pit evaluation. Amend the OOWSI accordingly.</p>	<p>WSCC state their preferred wording for the oOWSI.</p> <p>It is noted that the amendments to the Outline Onshore Written Scheme of Investigation [REP3-035] have been positively received by West Sussex County Council with scope for further discussion on the wording of Commitment C-225 and Requirement 19 of the Draft Development Consent Order [REP4-004].</p>			<p>02/07/2024:</p> <p>As per the comment on Item WSCC59, this item is still under discussion awaiting minor updates to the OOWSI at Deadline 5. These include updating the OOWSI with the finalised wording of the dDCO and Commitments Register (once agreed with the Applicant), and changes to WSCC's role to reflect the request of the ExA.</p> <p>It is anticipated this item will move to Green once these changes are updated in the OOWSI.</p> <p>17/04/24 The applicant notes that Detailed comments from WSCC are still outstanding. Once these are received, An Expert-to-Expert meeting can be arranged for any outstanding comments/issues that need discussing in detail.</p>

Table 3-13 Status of discussions related to Water Environment

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC62 This was a Principal Area of Disagreement for West Sussex County Council	Draft DCO does not adequately cover works close to Ordinary Watercourses which are managed by WSCC as LLFA	<p>Concerns</p> <p>Need to ensure the Applicant is aware that any works in, under, over or within 8m of any Ordinary Watercourse, which is not a Main River, will require consent from the WSCC as the LLFA.</p> <p>Desired Actions</p> <p>Acknowledgement that any works in, under, over or within 8m of any Ordinary Watercourse, which is not a Main River, will require consent from the WSCC as the LLFA.</p>	<p>The requirement for Ordinary Watercourse consent (OWC) is outlined by the Applicant in Commitments C-182, C-126, C-17, provided in Table 8-1 of the FRA [APP-216] and Table 26-10 in the Chapter 26: Water Environment, Volume 2 of the ES [APP-067].</p> <p>As stated in C-182 <i>"Work within banktop of any other watercourse (not Main River and outside of IDB) will require consent from the LLFA". Whilst C17 states "Appropriate environmental permits or land drainage consents will be applied for works from the Environment Agency...or from the LLFA (for Ordinary Watercourse crossings)".</i></p> <p>In paragraph 26.2.8 of Chapter 26 Water environment, Volume 2 of the ES [APP-067] the need for an OWC is also acknowledged by the Applicant.</p> <p>The Applicant would like to make reference to a recent meeting held with WSCC (and HDC) on 27 February 2024. Following discussion, all parties agreed that WSCC53 (Acknowledgement of Ordinary Watercourse Consent from WSCC as Lead Local Flood Authority (LLFA) can be converted from a PAD to a SoCG as an agreed matter.</p>	Agreed	27/02/2024	This is agreed with WSCC. Agreed based on WSCC's review of the Applicant's position.
WSCC63 This was a Principal Area of Disagreement for West Sussex County Council	Scope of Emergency Response Plan	<p>Concerns</p> <p>Surface water flood risk should be considered within any emergency response plan.</p> <p>Desired Actions</p> <p>Given the local topography of the central cable route, surface water flood risk should be considered within any emergency response plan for this area.</p>	<p>The requirements of the Emergency Response Plan are outlined in Section 8.2 of the FRA [APP-216]. Specifically, Paragraph 8.2.3 includes provisions for surface water flood risk:</p> <p><i>"the circumstances under which different responses will be implemented should be specified, with an escalation of response associated with increasing levels of danger. For example, a 'be prepared' alert may be raised upon receipt of an Environment Agency Flood Alert or a Met Office Severe Weather Warning for heavy rain, followed by an 'evacuate' order upon receipt of an Environment Agency Flood Warning, or at the discretion of the site Health, Safety, Security and Environment (HSSE) Manager, based upon an appraisal of local conditions".</i></p> <p>It is envisaged that these commitments will be sufficient to address surface water flood risk to construction activities and personnel.</p> <p>The Applicant would like to make reference to a recent meeting held with WSCC (and HDC) on 27 February 2024. WSCC questioned whether stockpiling of materials could</p>	Agreed	27/02/2024	This is agreed with WSCC. Agreed based on WSCC's review of the Applicant's position.

Reference Number	Point of Discussion	WSSC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSSC64 This was a Principal Area of Disagreement for West Sussex County Council	Groundwater does not appear to have been considered in the Outline Operational Drainage Plan (OODP).	<p>Concerns</p> <p>Concerns are raised that the current FRA and proposals for the Oakendene substation do not truly reflect the winter flooding that occurs at this location. This may be because local groundwater conditions have not been considered.</p> <p>Desired Actions</p> <p>Winter monitoring of groundwater levels should be carried out. For clarity, the existing watercourse around the site should be added to the Indicative SuDS Plan.</p>	<p>impact flow pathways. The Applicant highlighted the above commitments as well as measures in this regard set out in Table 8.1 of the Flood Risk Assessment, Volume 4 of the ES [APP-216], which are secured in the Outline Code of Construction Practice [PEPD-033], and the surface water mapping provided in Figure 26.2.5 of the Flood Risk Assessment, Volume 4 of the ES [APP-216]. Following discussion, all parties agreed that this matter can be transferred to the SoCG as an agreed matter.</p> <p>Groundwater flood risk is considered in Section 5.5 of the Flood Risk Assessment [APP-216]. At the Oakendene substation site the risk of groundwater flooding has been informed based on the Area's Susceptible to Groundwater Flooding data and GeoSmart Groundwater Flood Risk Map (GW5), both of which are presented in the HDC SFRA (Appendix A, Figure 3A and 3B) (AECOM, 2020). The risk of groundwater flooding is indicated as '<25%' in Figure 3A, and as 'Negligible' within the more detailed GeoSmart data in Figure 3B.</p> <p>On this basis, the risk of groundwater flooding (and the possibility of high groundwater levels) at the Oakendene substation site was not considered further as part of the application. The key flood risk to the site was deemed to be from surface water, given the underlying soils detailed in Paragraphs 2.2.15 and 2.2.16 of the Outline Operational Drainage Plan [APP-223] which are noted to be "<i>slowly permeable seasonally wet with impeded drainage</i>". Therefore, high groundwater is not thought to be driving local flood risk in this area. The outline drainage strategy presented within the Outline Operational Drainage Plan [APP-223] is based on several conservative assumptions (regarding the maximum design parameters for the substation, impermeability and climate change allowance) and is not reliant on attenuation storage. There is thought to be sufficient flexibility within the current strategy to address any concerns regarding winter flooding and loss of basin storage.</p> <p>However, a commitment has been drafted in an effort to resolve concerns in relation to the potential for perched groundwater raised by West Sussex County Council in this PAD. The principle of such a commitment (to undertake limited monitoring of groundwater levels at the time of wider ground investigation works at detailed design stage) was</p>	Agreed	27/02/2024	This is agreed with WSSC. Agreed based on WSSC's review of the Applicant's position.

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			<p>discussed and provisionally agreed with WSCC and HDC during a meeting on 27 February 2024. Measure C-293 has been drafted and states that "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. The measure is within the latest version of the Commitments Register [REP4-004], Outline Operational Drainage Plan [APP-223] has been updated at Deadline 4 [REP4-041], and is secured via Requirement 17 of the Draft Development Consent Order [REP4-004]. At the meeting on 27 February 2024 WSCC advised that this matter can be converted from a PAD to a SoCG as an agreed matter, on the basis of this groundwater monitoring.</p>			

Table 3-14 Status of discussions related to Public Health

Reference Number	Point of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC65 This was a Principal Area of Disagreement for West Sussex County Council	Lack of detail within the Emergency Response Plans	<p>Concerns</p> <p>Damage to utilities and impact on communities. Electricity and Water outages have the potential to impact on communities especially the vulnerable and their health and welfare within those communities.</p> <p>Desired Actions</p> <p>Emergency Response Plans require further detail to require clear instruction and timely actions in the event of damage to existing utilities.</p>	The Applicant confirms that an amendment to Paragraph 4.8.1 of the Outline Code of Construction Practice [REP4-043] will be amended to include damage to utilities.	Agreed	06/11/2023	This is agreed with WSCC.
WSCC66 This was a Principal Area of Disagreement for West Sussex County Council	Engagement with affected communities	<p>Concerns</p> <p>The Application does not evidence engagement with the affected communities and how the outcome of those engagements have influenced the Applicant's assumptions and design decisions, including those for the construction stage.</p> <p>Desired Actions</p> <p>Further evidence should be provided, particularly for communities near the offshore elements, onshore substation and construction compounds. Evidence is needed that local community feedback has driven Project design and any mitigation measures presented to reduce potential effects.</p>	<p>The Consultation Report [APP-027] and associated appendices demonstrate the changes to the scheme that have arisen from consultation and engagement.</p> <p>Noise and vibration and air quality impacts arising from the Proposed Development are mitigated within the Outline CoCP. Traffic and transport impacts are mitigated through the CTMP.</p>	Agreed	27/06/24	<p>27/06/24: WSCC have confirmed this is agreed on the basis of written responses.</p> <p>Applicant submission's ref should be viewed by WSCC - written questions REP3-051. There is a list of changes implemented in response to requests from Affected Parties within the local communities impacted. This is further demonstration of the engagement and amendments to the design of the project that have been taken forward based on community feedback.</p>

Table 3-15 Status of discussions related to Public Rights of Way

Reference Number	Points of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC67 This was a Principal Area of Disagreement for West Sussex County Council	Concern about temporary diversions of PRoW shown in the Outline Public Rights of Way Management Plan (OPRoWMP), they must be suitable for all lawful users of the path to use.	<p>Concerns</p> <p>Some errors made in the status of routes in the crossing schedule of the OPRoWMP that need to be rectified, which will have implications on who has a right to use any alternative route.</p> <p>Desired Actions</p> <p>Updates to the OPRoWMP should be made, these have been shared with the Applicant.</p>	WSCC has communicated directly a number of inaccurate references in the OPRoWMP [REP3-033] which was updated at Deadline 3..	Agreed	06/11/2023	This is agreed with WSCC.
WSCC68 This was a Principal Area of Disagreement for West Sussex County Council	Concerns about elements of the OPRoWMP	<p>Concerns</p> <p>Alternative routes will not be managed by WSCC and must be promoted and managed by the Applicant to make sure they are safe and continue to be so.</p> <p>FP2701 within the Washington Construction Compound. A temporary route is referenced for the duration of Project construction, but long closure needs to be suitably mitigated against.</p> <p>The PRoWMP suggests lawful users would wait for vehicles, which is incorrect. Public rights take precedent over private rights, in this case vehicular access, therefore vehicles should give way to lawful path users.</p> <p>No new structures should be introduced to the PRoW network without prior consent of WSCC's PRoW team.</p> <p>Desired Actions</p> <p>These issues must be addressed within the OPRoWMP.</p>	The Applicant welcomes WSCC's feedback and has updated OPRoWMP [REP3-033] at Deadline 3 to provide corrections as appropriate.	Agreed	06/11/2023	This is agreed with WSCC.

Reference Number	Points of Discussion	WSCC's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
WSCC69	Impacts on Public Rights of Way	Due to the large scale of this Project and the linear nature of the proposals, the scale of the impact on Public Rights of Way (PRoW) is very high. With just under 60 individual interventions across the PRoW network crossed by the Project, this highlights the impact on users both exercising their legal rights for utility or recreational purposes	<p>Draft Heads of Terms for a section 106 agreement have been provided to WSCC and to the Examination in Draft Heads of Terms for S106 Agreement with West Sussex County Council [REP4-075].</p> <p>The Applicant's position is that the section 106 agreement adequately compensates for the residual significant effects of the Proposed Development on matters for which WSCC holds statutory responsibility which includes the impact to PRoWs.</p>	Agreed	05/07/24	This is agreed with WSCC.

References

Rampion 2 DCO Project Glossary:

[1.7 Rampion 2 Application Document Tracker \(planninginspectorate.gov.uk\)](#)

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