Rampion 2 Wind Farm

Statement of Common Ground

South Downs National Park Authority

August 2024

Rev I

Examination Reference: 8.4

Pursuant to: Infrastructure Planning (Examination Procedure) Rules 2010, Rule (8)(c)

Ecodoc number: 05114181-08

Revision	Date	Status/Reason for issue	Author	Checked by	Approved by
A	May 2023	Initial template issued to South Downs National Park Authority (SDNPA)	RED	RED	RED
B	June 2023	First draft issued to SDNPA	RED	RED	RED
C	October 2023	Second draft issued to SDNPA	WSP	RED	RED
D	December 2023	Third draft issued to SDNPA	WSP	RED	RED
E	May2024	Fourth draft issued to SDNPA	WSP	RED	RED
F	June 2024	Fifth Draft issued to SDNPA	WSP	RED	RED
G	July 2024	Sixth Draft reflecting current status at Deadline 5	WSP	RED	RED
H	July 2024	Seventh Draft issued to SDNPA	WSP	RED	RED
I	August 2024	Deadline 6 Submission	WSP	RED	RED

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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 Limited (RED) (hereafter referred to as 'the Applicant') and South Downs National Park Authority (SDNPA) 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 SDNPA was confirmed within Rule 6 letter issued by the Examining Authority Inspectorate on 12 December 2023 [PD-006]. In this letter, the Examining Authority requested that Interested Parties, such as the SDNPA, submit updated Principal Areas of Disagreement Statements (PADS) where the Interested Party: 'holds a substantive concern or concerns with the Proposed Development' by Deadline 7.

1.1.3 This SoCG covers all topics where there are areas for agreement, and areas for disagreement, between the Applicant and SDNPA. The initial versions of this SOCG were based on the SDNPA's Principal Areas of Disagreement [AS-012]. The Applicant updated the structure to provide a more granular breakdown of matters, in line with the request of SDNPA.

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 consultation, the Applicant and SDNPA have sought to progress a SoCG.

1.1.6 It is the intention that this document provides the Examining Authority with a clear overview of the level of common ground between both parties. This document will facilitate further discussions between the Applicant and SDNPA and will be updated as discussions during both the pre-examination and the Examination phase.

1.2 Approach to SoCG

1.2.1 This SoCG has been developed during the pre-examination and examination phase of the Rampion 2 Offshore Wind Farm. SDNPA issued their relevant representations [**RR-358**] and Principal Areas of Disagreement [**AS-012**]. The SoCG makes reference to other submission documents that set out, in greater detail, the discussions that have taken place between SDNPA and the Applicant. 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, Volume 2** [**APP-042 to APP-072**].

1.2.2 The SoCG is structured as follows:

- **Section 1: Introduction:** outlines the background and approach to the development of the SoCG and provides an overview of the Proposed Development;
- **Section 2: South Downs National Park Authority's remit:** describes the main areas of discussion within the SoCG and a summary of consultation to date; and
- **Section 3: Agreement/Disagreement Log**: provides a record of the positions of the Applicant alongside those of SDNPA as related to the topics of discussion and the status 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 160km^2.

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;
  - 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; and
- 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.

1.3.5 A full description of the Proposed Development is provided in **Chapter 4: The Proposed Development,** Volume **2** of the **ES** [**APP-045].**

2. South Downs National Park Authority's remit

2.1 Introduction

2.1.1 SDNPA is responsible for promoting the statutory purposes of the South Downs National Park (including being the planning authority) which are specified as part of the Environment Act 1995.

2.1.2 The authority is interested in the proposed development in its role as National Park authority for the South Downs National Park (SDNP) and therefore a statutory consultee. The authority is also a Host Authority (Local Planning Authority) for the section of the cable corridor that is within the SDNP.

2.1.3 SDPNA's role in relation to the DCO process derives from the Planning Act 2008 (the 'Act') and secondary legislation made under the Act. SDPNA as a National Park Authority is classified as a consultee under section 43 of the Act, meaning applicants must consult with SDNPA before submitting a Nationally Significant Infrastructure Project (NSIP) application.

2.1.4 The SoCG covers topics of the DCO Application of relevance to SDNPA, comprising:

- Principle of Development;
- S106 Agreement process
- Alternatives;
- Onshore aspects of the DCO Application;
  - Landscape and Visual Impact Assessment (LVIA);
  - Historic environment;
  - Terrestrial ecology and nature conservation;
  - Transport;
  - Noise and Vibration;
  - Socio-Economics; and
  - Ground Conditions
- Offshore aspects of the DCO Application:
  - Seascape, Landscape and Visual Assessment (SLVIA);

2.1.5 Where appropriate in relation to the above topics, this Statement of Common Ground engages with the Applicant's application of the mitigation hierarchy in its design of the Proposed Development, and identifies matters related to the furtherance of the statutory purposes of the National Park in accordance with section 11A(1A) of the National Parks and Access to the Countryside Act 1949.

2.2 Consultation summary

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

2.2.2 The Applicant and SDNPA 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

Table 2-1 Consultation and correspondence undertaken with South Downs National Park Authority

Date and type	Description of consultation
12 May 2020 **Early Engagement email regarding noise and vibration (onshore)**	Email from RED to South Downs National Park Authority Planning Enquiries Team for information gathering on key constraints and local sensitivities.
31 July 2020 **Further Engagement** **Microsoft Teams Conference Call**	RED and SDNPA – Project Update
04 August 2020 **EIA Scoping Response**	EIA Scoping Consultation response
09 September 2020 **Evidence Plan Process (EPP) Steering Group Meeting**	Rampion 2 Steering Group Meeting
15 September 2020 **Expert Topic Group (ETG) meeting**	Rampion 2 ETG meeting – SLVIA/LVIA, Onshore and Offshore Archaeology and Cultural Heritage
27 October 2020 **ETG meeting**	Rampion 2 ETG meeting – Transport, Air quality, Noise, Health and Socio-economics
28 October 2020 **ETG meeting**	Rampion 2 ETG meeting – Onshore Ecology, Hydrology and Nature Conservation
10 November 2020 Technical Note: LVIA	Technical Note dated 10 November 2020 LVIA Study Area and viewpoint selection was undertaken in November and December 2020 with the South Downs National Park Authority (SDNPA), Natural England (NE), West

Date and type	Description of consultation
	Sussex County Council (WSCC), Horsham District Council (HDC), Arun District Council (ADC) and MSDC.
18 November 2020 **Further Engagement** **Microsoft Teams Conference Call**	RED and SDNPA RE: Terrestrial ecology and Nature Conservation
23 November 2020 **Further Engagement** **Microsoft Teams Conference Call**	RED and SDNPA discussions regarding onshore LVIA.
04 December 2020 Further Engagement & Technical Note: LVIA	Technical Note date 4 December 2020 LVIA Study Area and viewpoint selection was undertaken in November and December 2020 with the SDNPA, NE, WSCC, HDC, ADC and MSDC.
16 March 2021 **ETG meeting**	Rampion 2 ETG meeting – Traffic, Air Quality, Noise and Socio-economics
18 March 2021 **ETG meeting**	Rampion 2 ETG meeting – SLVIA/LVIA, Onshore and Offshore Archaeology and Cultural Heritage
23 March 2021 **ETG meeting**	Rampion 2 ETG meeting – Onshore ecology, Hydrology and Nature Conservation (onshore)
28 April 2021 **Targeted meeting**	Targeted meeting – Additional Seascape ETG Meeting
Statutory Consultation carried out under Section 42 of the Planning Act 2008 (14 July to 16 September 2021)	Response from SDNPA including key topics: Policy, SLVIA, Socio-economics, LVIA, Soils & Agriculture, Noise & Vibration, Ecology & Nature Conservation, Transport, Ground Conditions, Historic Environment, and Method of Construction (Onshore).

Date and type	Description of consultation
Statutory consultation response	
01 November 2021 **EPP Steering Group Meeting**	Rampion 2 EPP Steering Group Meeting
03 November 2021 **ETG meeting**	Rampion 2 ETG meeting – Onshore Ecology, Hydrology & Nature Conservation
04 November 2021 **ETG meeting**	Rampion 2 ETG meeting – Traffic, Air Quality, Noise and Socioeconomics Meeting
Statutory Consultation carried out under Section 42 of the Planning Act 2008 (18 October to 29 November 2022) **Statutory consultation response**	Rampion 2 Offshore Wind Farm Supplementary Consultation Response from SDNPA including key topics: • Development in a National Park; • LVIA and Viewpoints; • Ecology and Ancient Woodland; and Recreation and Access.
02 November 2022 **Further engagement**	Rampion 2 meeting with SDNPA and WSCC to discuss survey progress from November 2021 to date.
08 November 2022 **ETG Meeting**	Rampion 2 ETG meeting - Terrestrial Ecology
09 November 2022 **ETG meeting**	Rampion 2 ETG meeting – Terrestrial ecology and nature conservation
10 November 2022 **ETG meeting**	Rampion 2 ETG meeting – Historic Environment and Landscape and Visual Impact Assessment (LVIA)
25 November 2022 **ETG meeting**	Rampion 2 ETG meeting – Traffic and Socioeconomics

Date and type	Description of consultation
28 November 2022 **ETG meeting**	Rampion 2 ETG Meeting – Transport and socio-economics
Statutory Consultation carried out under Section 42 of the Planning Act 2008 (4 February – 27 March 2023) **Statutory consultation response**	Rampion 2 Offshore Wind Farm Further Supplementary Consultation Response from SDNPA (C4-071) including key topics: • LVIA and Viewpoints; • Cultural Heritage and Historic Environment; • Supplemental comments on archaeological finds; • Recreation and Access; and Approach to Alternative Routes.
21 February 2023	Rampion 2 ETG meeting – Transport and Socio-economics
01 March 2023 **ETG meeting**	Rampion 2 ETG meeting – LVIA and Historic environment
02 March 2023 **ETG meeting**	Rampion 2 ETG meeting – Noise and vibration, Air quality, Soils and agriculture and Ground conditions.
07 March 2023 **ETG meeting**	Rampion 2 ETG meeting – Terrestrial ecology and Water environment
13 April 2023 **Targeted engagement**	Email communication with SDNPA regarding the methodology and scope for construction noise monitoring.
14 June 2023 **ETG meeting**	Rampion 2 ETG meeting – Landscape and Visual Impact Assessment and Historic Environment
16 June 2023 **ETG meeting**	Rampion 2 ETG meeting – Air Quality, Noise & Vibration, Soils & Agriculture and Ground Conditions
20 June 2023	Rampion 2 ETG meeting – Transport and Socio Economics

Date and type	Description of consultation
ETG meeting	
22 June 2023 **ETG meeting**	Rampion 2 ETG meeting – Terrestrial Ecology and Water Environment
13 July 2023	Further engagement with West Sussex County Council, Horsham District Council, SDNPA and National Highways regarding traffic modelling methodology, access numbering and visibility splays.
20 July 2023	Further engagement with West Sussex County Council, and SDNPA to discuss access numbering, traffic data, survey and provision of further information.
25 January 2024 **Expert to Expert Meeting**	Rampion 2 Expert to Expert Meeting- LVIA
01 February 2024 **Expert to Expert Meeting**	Follow up Rampion 2 Expert to Expert Meeting- LVIA
15th February 2024 **Expert to Expert Meeting**	Rampion 2 Expert to Expert Meeting- LVIA regarding areas within the National Park
11th March 2024 **SOCG**	Rampion 2 Statement of Common Ground Page Turn Meeting- Rev C
19th March 2024 **Expert to Expert Meeting**	Rampion 2 Expert to Expert BNG Meeting
28th March 2024 **Expert to Expert Meeting**	Rampion 2 Expert to Expert SLIVA/LVIA Meeting

Date and type	Description of consultation
17th April 2024 **Expert to Expert Meeting**	Rampion 2 SDNPA Expert to Expert Terrestrial Ecology Meeting
31/05/24 **Statement of Common Ground Page Turn**	Rampion 2 Statement of Common Ground Page Turn Meeting- Rev D
26/06/24 **Statement of Common Ground and s106**	Rampion 2 Statement of Common Ground Page Turn Meeting and Section 106 discussion- Rev F
28th March 2024 **Expert to Expert Meeting**	Rampion 2 Expert to Expert SLIVA/LVIA Meeting
25/07/24 **Statement of Common Ground**	Rampion 2 Statement of Common Ground Final Page Turn Meeting and Close Out

3. Agreement/Disagreement Log

3.1.1 The following Sections of this SoCG set out the level of agreement between the Applicant and SDNPA for each relevant component of the DCO Application identified in **paragraph 2.1.4**. The tables below detail the positions of the Applicant alongside those of SDNPA 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 logs 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 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 SDNPA 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 SDNPA is considered to result in a materially different outcome on the assessment conclusions.	**Not agreed – material impact**

3.13 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 the stakeholder is reported against the evolving position of the Applicant. Where agreement is reached- this indicates that the stakeholder and Applicant mutually support the position stated by the Applicant. The date of agreement is noted 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 Principle of Development

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Comments/Notes
SDNPA01	Principle of the need for the Development	SDNPA supports renewable energy generation and carbon reduction objectives to meet climate change commitments	The project will contribute materially towards meeting the urgent national need for renewable electricity generation, significantly reducing carbon emissions from energy.	**Agreed**	26/02/2024	This position status is based on deadline 1 submission [**REP1-052**] made by SDNPA.

Table 3-3 Status of discussions related to S106 Agreement Process

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA02	Section 106 Agreement	**Concerns** The Heads of Terms for a Section 106 Agreement as originally proposed do not address the significant adverse effects on the SDNP in respect of landscape, seascape, ecology and cultural heritage. **Desired Actions** Where harm cannot be avoided or appropriately mitigated for within the SDNPA, suitable compensatory measures should be secured through S106 Agreement.	The section 106 agreement provided by the Applicant provides for compensation for the residual effects of the Proposed Development which remain following application of the mitigation hierarchy. The fund will be applied to projects which compensate for the Proposed Development and seek to further the statutory purposes of the South Downs National Park in accordance with section 11A(1A) of the National Parks and Access to the Countryside Act 1949 (as amended by section 245 of the Levelling Up and Regeneration Act 2023) Measures delivering mitigation are set out in the Commitments Register [**REP4-057**] and secured through provisions of the draft Development Consent Order. The Applicant considers the mitigation hierarchy has been followed and whilst it recognises there are significant adverse effects remaining it considers these are compensated for through the provisions in the S106 agreement. The Applicant considers the planning balance favours this project, and that the adverse impacts are outweighed by the significant project benefits. SDNPA has been invited to suggest and evidence how s106 funding would mitigate specific identified harms.	**Agreed**	29/07/24	29/07/24: final agreement has been reached on S106 between SDNPA and the Applicant- thereby moving this to agreed. 25/07/24: Discussions have continued, having reached agreement on the scope, scale and payment profiles associated with S106. Final discussions continue regarding the nuances of the securing mechanism for the S106 Agreement. 03.07.24: Comments on the draft S106 Agreement have been provided by the SDNPA. These request amendments to be considered in respect of how the compensation fund is paid and distributed (affecting the overall amount, project list and management of the fund). If these are agreed, this will resolve several of the SDNPA's overarching concerns. 12/06/2024: The S106 agreement compensates for specific harms that cannot be mitigated and to further the purposes of the National Park. These measures are noted against each theme in the remainder of this Agreement/Disagreement Log. 31/05/24: Update in page-turn meeting: Applicant will submit HOTs DL4. Revised SOCG and draft Agreement to be issued to SDNPA by 7th of June. Unilateral form discussed. Flagged the necessity for land ownership. Next page-turn meeting: proposed for 26th June 2024 April 24: SDNPA have provided feedback and examples of projects for the Applicants comment and consideration. VC Comment 30/04/24: Deadline 3 Update – this Principal Area of Disagreement is an overarching matter, which is covered in more detail through the topic-specific points that follow below. SDNPA have suggested updated Heads of Terms, under separate cover.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						11/04/24 (Applicant): S-106 draft Heads of Terms were issued by Applicant to SDNPA SDNPA submitted the LIR into examination at Deadline 2, identifying broad areas of adverse effects. These are being considered by the Applicant. Advice on specific mitigation measures sought and the quantification of harms is sought from SDNPA to progress. 11/03/2024: SDNPA has flagged that there is a reference to BNG in terms of it "offsetting" ecological harms. The Applicant is not aware of where this terminology might have crept in – but has agreed that the language should be consistent. The Applicant has provided explanation of how the BNG methodology includes both compensation and enhancement in the Expert-to-Expert BNG meeting W/C 18/03/2024. Applicant has also referred SDNPA to the Relevant Reps and Written Representations answers provided.

Table 3-4 Status of discussions related to Alternatives

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA03	Consideration of alternatives outside of the National Park- **Assessment of Alternatives**	**Concerns** The consideration of alternatives for the scheme has not sufficiently demonstrated that meeting the need for offshore renewable energy could not be met through a scheme that did not intersect the South Downs National Park (SDNP). It is therefore the case that this 'test' of the National Policy Statement EN-1 paragraph 5.9.10 has not been met. **Desired Actions** Further assessment and demonstration of alternatives outside of the National Park needs to be considered	Section 4.4 of the **Planning Statement [APP-036]** sets out the consideration of the key policy test regarding nationally significant infrastructure development taking place in the SDNP in line with the requirements of 5.9.10 of National Policy Statement (NPS) EN-1 (Department of Energy and Climate Change (DECC), 2011). The consideration of the need for the development is outlined in paragraphs 4.4.7 - 4.4.21 of the **Planning Statement [APP-036]**. The consideration of the cost and scope of development alternatives outside the SDNP is outlined in paragraphs 4.4.22 - 4.4.67. This section draws on **Chapter 3: Alternatives, Volume 2 [APP-044]** which details the process of site selection and the consideration of alternatives. Section 3.3 of **Chapter 3: Alternatives, Volume 2 [APP-044]** outlines the alternatives considered in terms of grid connection and Section 3.4 sets out the alternatives considered in terms of landfall and onshore cable route. Together, these sections outline the cost and scope of delivering the reasonable alternatives outside of the SDNP. Therefore, this has been appropriately considered, as summarised in the **Planning Statement [APP-036]**, and the Applicant considers that no further assessment is required. The detrimental effects on the environment, landscape and recreational opportunities and extent to which these could be moderated is considered in paragraphs 4.4.68 - 4.4.90 of the **Planning Statement [APP-036]**. Specifically, paragraphs 4.4.69 - 4.4.75 consider the environment; paragraphs 4.4.76 - 4.4.84 consider landscape; and paragraphs 4.4.85 - 4.4.88 consider recreational activities. Section 4.4 of the **Planning Statement [APP-036]** draws on various assessments in the topic chapters within the Environmental Statement (ES) (particularly **Chapter 25: Historic environment, Volume 2 Chapter 25 [REP4-024]**: **Landscape and visual impact, Volume 2 [APP-059]**; and **Chapter 17: Socio-economics, Volume 2 [APP-058]**) to	**Not Agreed – Material impact**	31/05/24	31/05/24: Update in page-turn meeting: Status was confirmed as 'not agreed- material impact'. VC Comment 30/04/24: Deadline 3 Update – we note further information has been provided on this matter at Deadline 1 and on which we have commented. There remain outstanding points and therefore our concern still remains. At deadline 2 - The SDNPA have commented on the Applicants paper regarding Alternative connection points. Responses are being provided for Deadline 3 by the Applicant. This topic appears to be heading towards an 'Agree to Disagree' status. 11/03/2024: Change to Cost and scope of delivering proposals outside of the national park. The Applicant has submitted evidence. 11/03/2024: SDNPA to review what has been submitted and come back to comment on this.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			outline the detrimental effects of the onshore cable route and the extent to which these could be moderated. The **Commitments Register [REP4-057]** sets out the full range of embedded environmental measures to minimise or mitigate the environmental effects including those of relevance to the SDNP. The Applicant therefore considers that it has appropriately considered the key policy tests in NPS EN-1 5.9.10 (2011) relating to development taking place within the SDNP.			
SDNPA04	Route of the onshore cable corridor – **Assessment of Alternatives**	**Concerns** The final route of the onshore cable corridor, as a result of the impact it would have on landscape character and in views, ecological features, historic environment and users of the public right of way network, is considered to be more harmful than other route options that could have been selected, even within the SDNP (e.g., adjacent to the existing Rampion 1 cable route or further east of Blackpatch Hill). It is therefore the case that this 'test' of the National Policy Statement EN-1 has not been met. **Desired Actions** Further assessment and demonstration of alternatives considered.	The Applicant has considered a variety of grid connection points, explained in sections 3.3 and 3.4 of ES Chapter 3 Alternatives [**APP-044**]. A thorough process has been undertaken, resulting in the selection of the Bolney substation. The cable route scoping, optioneering to PEIR and consultation process is also set out in APP-044. The options reported in Chapter 3 include the cable route used for the Rampion 1 project and confirm why it was not possible to follow this route. No other routes have been suggested by SDNPA The Applicant considers that it has appropriately considered and met the key policy tests in NPS EN-1 5.9.10 (2011) relating to development taking place within the SDNP, described above for SDA01. The constraints discounting a cable route adjacent to the Rampion 1 route are described in Table 3.5 of **Chapter 3: Alternatives, Volume 2** of the ES **[APP-044]**. .	**Not Agreed – Material impact**	28/03/24	31/05/24: Update in page-turn meeting: Status was confirmed as 'not agreed- material impact'. 28/03/24: Not Agreed at LVIA Expert to Expert Meeting 11/03/2024: The Applicant has requested SDNPA are more specific about how they would like mitigation to be provided in the areas they have specified. Compensation measures and s106 matters can be discussed after that. Deadline 3 Update – this Principal Area of Disagreement is an overarching matter, which is covered in more detail through the topic-specific points that follow below. SDNPA have suggested updated Heads of Terms, under separate cover.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA05	Route of the onshore cable corridor – **Outcome, Mitigation and Compensation and Furtherance of the National Park**	**Concerns** The SDNPA considers the impact of the onshore export cable on the National Park to be unacceptable without sufficient mitigation and compensation secured through the dDCO and an S106 Agreement. **Desired Actions** The export cable should route to an alternative grid connection point without passing through the National Park If sufficiently evidenced direct incursion in the SDNP was inevitable, a robust package of mitigation and compensation offered and secured through S106 Agreement	The Applicant has considered a variety of grid connection points, explained in sections 3.3 and 3.4 of ES Chapter 3 Alternatives [**APP-044**]. A thorough process has been undertaken, resulting in the selection of the Bolney substation. Compliance with the major development test in relation to the National Park is demonstrated in the Planning Statement [**APP-036**]. The Applicant will defend the cable routeing at the DCO examination. There is no scope for changing this routeing within the parameters of the current application. Further information was submitted at deadline 1 as part of the Applicant's Post Hearing Submission- Issue Specific Hearing 1 Appendix 1- Further Information for Action Point 3- Fawley and Dungeness **[REP1-019].** The mitigation hierarchy has been followed in the design of the onshore cable corridor and connection point selection. The Applicant confirms that the impact of the onshore cable route on the National Park is temporary during the construction phase only and capable of mitigation. A robust and secured package of mitigation is described in the **Commitments Register [REP4-057],** **the Outline Ecology and Landscape Management Plan [REP4-047] and** The **Planning Statement [APP-036]** demonstrates that the benefits of the proposed development outweigh the harms.	**Agreed**	26/07/24	26/07/24: moved to green on the basis of S106 Agreement. 03/07/2024: The SDNPA have proposed some amendments to the draft S106 Agreement. Should these be accepted, we would be in a position to agree that the overarching matter of compensation and mitigation could be agreed. There may be some more minor matters of discrete concern in respect of baseline and mitigation that are discussed further in topic-specific sections. 07/06/2024: A draft S106 agreement has been tabled which seeks to provide a compensation package capable of conserving, enhancing and seeking to further National Park purposes. The types of projects outlined for funding through the S106 will further the purposes of the National Park. The Applicant seeks this matter to move from red to green on this basis.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			SDNPA is invited to suggest and evidence how s106 funding would mitigate specific identified harms. The Applicant's position is that the section 106 agreement adequately compensates for the temporary residual effects of the Proposed Development on the National Park including arising from the onshore cable corridor as it passes through the park.			

Table3-5 Status of discussions related to Mitigation Measures and Compensation

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA06	Commitments register- **Mitigation Measures & Compensation**	**Concerns** Commitments Register is not definitive about the actions that will be taken in respect of mitigation, using vague and non-committed language. **Desired Actions** Applicant to provide firm solutions and proposals to address all 'grey' areas in commitments register. This could include both mitigation and compensation measures through a S106 Agreement.	**Concerns** The Commitments Register **[REP4-057]** has been prepared to provide a summary of the embedded environmental measures to be implemented to manage the potential environmental impact of the Proposed Development. The register also identifies the securing mechanism in the DCO and relevant supporting documents. The Applicant has provided updates to the Commitments Register at Deadline 1 to include further detail e.g., the full reference to DCO requirements and addition of the location of further information within the Application documents. The provision and maintenance of landscaping and the need to deliver biodiversity net gain will be secured by Requirements 13 and 14 within the **draft Development Consent Order (DCO)** **[REP4-004]**. The supporting outline plans, submitted with the DCO, provide additional detail on topic specific mitigation. Those that provide information on compensation and enhancement are as follows: • Outline Code of Construction Practice (CoCP) [PEPD-033]; • Outline Landscape and Ecology Management Plan (LEMP) [APP-232]; and • Design and Access Statement (DAS) [AS-003] for the onshore substation works. The Contractor(s) will be required to prepare stage specific management documents, based on those listed above, to demonstrate how the management measures and principles provided in the outline documents will be implemented for the planned works. Stage specific documents will include detail on works in relation to that	**N/A**	N/A	25/07/24: Comments on individual commitments are considered under the relevant sections therefore negating the need for this row. 08/07/24: It is noted that further work has been undertaken on the Commitment Register and the ExA has advised that the CR might need to be secured through a Requirement if the measures within are not adequately embedded elsewhere. Should this be resolved, we would move this to Agreed. 07/06/24- SDNPA to confirm this can now turn to agreed 11/03/24 – Updated commitments register provided to SDNPA for review. 11/03/24 – SDNPA agreed that this discussion point is ongoing 08/04/24 - The Commitments Register **[REP1-015]** has now been provided with the updated mechanism listed as part of the applicant's Deadline 2 submission. 30/04/24 – SDNPA comment: *Deadline 3 update – further comments to come.*

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			stage and require approval from the relevant planning authority, prior to works commencement, via Requirements discharge. As the design matures **draft Development Consent Order (DCO)** and the project progresses the **Outline Landscape and Ecology Management Plan** [**REP4-047**] will be subject to submission of stage specific LEMPs with details for approval by the local authority and Natural England. This is as per Requirements 12 and 13 of the **draft Development Consent Order (DCO)** [**REP4-004**] respectively. **Actions undertaken** • Continued engagement with SDNPA to and discuss / agree alternative language for specific commitments and / or the inclusion of S106 Agreement. • CoCP and LEMP provided to SDNPA at Deadline 4 for review. The Applicant has acknowledged a significant effect on the South Downs Way during construction but notes that this is temporary, Where temporary significant residual effects arise, the harm is of a short-term and reversible nature when considering the high standards of environmental mitigation secured through the **Commitments Register** [**REP4-057**] and **draft DCO** [**REP4-004**] The Applicant's position is that the section 106 agreement adequately compensates the effects on the Special Qualities and the use and enjoyment of the South Downs Way, and furthers the statutory purposes of the South Downs National Park. The fund is to be applied to a range of projects to be agreed by a steering committee comprised of (as a minimum) the Applicant and the SDNPA			

Table 3-6 Status of discussions related to Seascape, Landscape and Visual Impact

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA07a	SLVIA size of turbines worst-case scenario - **Assessment, Scope and Methodology**	The 325m WTG worst-case scenario (65 larger turbines) was agreed by all stakeholders in the SLVIA Expert Technical Group as acceptable. This worst-case scenario was adopted in the assessment in the Preliminary Environmental Information Report (PEIR) supporting Statutory Consultation in 2021.	The Applicant welcomes SDNPA's agreement of the 325m WTG worst-case scenario. This is secured in requirement 2 with draft Development Consent Order (DCO) **[REP4-004]**.	**Agreed**	28/04/21	
SDNPA07b	Turbine sizes and size of array **– Outcome of EIA**	SDNPA consider that there would be a major adverse effect on landscape and seascape character and views, which is so significant that it would compromise the purposes of designation of the SDNP.	The Applicant has considered carefully the effects of the Proposed Development on the Special Qualities of the SDNP as set out in its post hearing submission following Issue Specific Hearing 2: Further Information on South Downs National Park **[REP4-063]** and it has minimised impacts on the Special Qualities through design. Whilst the Application recognises that harm would be caused to SDNP Special Quality 1 ('breathtaking views' and 'stunning, panoramic views to the sea'), the Applicant considers that the natural beauty is maintained and that the opportunities to understand and enjoy this special quality would remain for the public. As such, the offshore array does not compromise the statutory purpose of the designation within the affected areas identified or the SDNP as a whole.	**Not Agreed – Material Impact**	25/07/24	Linked to point SDNPA7a and as discussed at Issue Specific Hearing 2 and in SDNPA written submissions throughout the Examination process. 03/06/24: Deadline 4 Update – the Applicant has provided an additional technical note on the special qualities of the SDNP submitted at Deadline 1 **[REP1-024]** which has been updated at Deadline 4 **[REP4-063]**.
SDNPA08	Turbine sizes and size of array **- Mitigation and compensation**	**Concerns** Significant concerns of size of turbines proposed; the maximum sizes are significantly greater than the existing Rampion 1 turbines. The geographic extent of the proposals and significant visual effects on uninterrupted seascape views, particularly from the South Downs	**Concerns** The maximum design scenario being assessed in the ES has taken appropriate consideration to the seascape, landscape and visual effects of Rampion 2 and shown due regard to the purposes of the SDNP through the design process.	**Agreed**	26/07/24	26/07/24: moved to green on the basis of S106 Agreement. 03/07/24: Further comments on S106 Agreement have been sent to the applicant. Subject to this, whilst we consider additional steps could and should be taken in respect of the Design Principles and the final layout considering seascape, we accept that the compensation package will help resolve the

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		Way (a National Trail), will also give rise to significant visual effects for which appropriate mitigation and/or compensation has not been demonstrated. The SDNPA consider that the proposed Design Principles do not go far enough and do not guarantee that sufficient measures to limit the impact on seascape will be undertaken. **Desired Actions** Applicant to address in Assessment amendments and updates, including in respect of mitigation and a more robust set of Design Principles that relate better to the existing Rampion 1 array. Compensation through a S106 Agreement for the residual harm should also be provided.	The Rampion 2 array area is now located entirely outside the Rampion 1 structures exclusion zone and has been designed so that it does not extend to the east of the Rampion 1, instead being located entirely to the south and west of the existing array, to minimise effects on the Heritage Coast area of the SDNP in particular. Opportunities to reduce effects through turbine height reduction are limited due to the technical and economic requirements associated with producing renewable energy as well as other environmental factors. The need to retain flexibility of WTG numbers, size and location within the Rampion 2 array area through the planning stages and assessment of a Maximum Design Scenario is a necessary part of the process that is recognised through NPS EN-1 at paragraphs 4.2.5 - 4.2.6. The Applicant has confirmed to the Examination in its response to the ExA's 1st Written Questions (SLV1.6) that designing the layout of the proposed offshore wind farm in the most optimal way involves balancing a number of competing technical, economic, functional and environmental factors. The scale of the wind farm will be the ultimate determining factor as to whether it will be considered viable and subsequently constructed and consequently it is not possible to mitigate the effects of the turbine size without significantly affecting the electricity generating output of the wind turbines, as accepted in EN-3.			residual harm to seascape and landscape character experienced within the National Park. 07/06/2024: The Applicant has provided an updated s106 agreement in order to resolve this matter. 31/05/24: Update in page-turn meeting: Status was confirmed as 'not agreed- material impact' by SDNPA. 03/06/2024: Deadline 4. The Applicant considers it has aimed to minimise harm of the offshore proposals to the SDNP during the design of the project and has confirmed that no further mitigation is possible to reduce significant visual effects arising from the WTGs within the array area. The Applicant is continuing to engage with the SDNPA on the matter of compensation (see SDA-09b). 11/03/24 – SDNPA expanded on this discussion point in Written Representations.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			The Applicant's position is that the section 106 agreement adequately compensates for the effects arising from the turbines on the landscape and natural beauty of the South Downs National Park,			
SDNPA09a	Special Qualities of the South Downs National Park – SLVIA aspects **Assessment, Scope and Methodology**	**Concerns** Lack of assessment of effects on Special Qualities that underpin the NP Designation. This is evidenced throughout the Environmental Statement but is particularly relevant to the SLVIA and LVIA. **Desired Actions** Applicant to address in updated Assessments.	**Concerns** The effects of the Proposed Development on the special qualities of the SDNP, are assessed in Section 15.10 (P&M effects) of Chapter 15: Seascape, Landscape and Visual Impact Assessment, Volume 2 of the ES **[APP-056]** and Section 3.3 of Appendix 18.3 Landscape Assessment **[APP-169].** As described in full in Section 15.7 of Chapter 15: Seascape, Landscape and Visual Impact Assessment **[APP-056],** the design of the Proposed Development provides embedded environmental measures that minimise effects on the special qualities of the SDNP. The Zone 6 Area (to the east) and the Extension Area (to the west) have been reduced to form the array areas now forming the proposed DCO order limits and this is illustrated on Figure 15.2, Volume 3, of the ES **[APP-088].** SLVIA topic specific design principles have shaped the design of Rampion 2, with the aim of reducing the magnitude and geographic extent of effects and minimising harm to the special qualities of the SDNP and the associated Sussex Heritage Coast. Short-term effects will extend through the construction period and while they cannot	**Not Agreed – Material Impact**	25/07/24	25/07/24: During the meeting it was acknowledged by the SDNPA that the Special Qualities of the National Park are evidently considered by the Applicant in their **REP4-064** however, the SDNPA do not agree with the scope, methodology or conclusions. 25/07/24: SDNPA feel that the further information provided at Deadline 4 [REP4-064] has demonstrated that an assessment has been carried out in respect of the National Park Special Qualities. However, there is unlikely to be agreement on the conclusion of the assessment: *'Whilst harm would be caused to this special quality ('breathtaking views' and 'stunning, panoramic views to the sea'), the Applicant considers that the natural beauty is maintained and that the opportunities to understand and enjoy this special quality this would remain for the public. As such, the offshore array does not compromise the statutory purpose of the designation within the affected areas identified or the SDNP as a whole.*' The SQs underpin the statutory purposes of the National Park. If there is harm to the SQ1, then it follows that this will compromise the Statutory Purposes. 03/06/24: Deadline 4 Update – the Applicant has provided further information on the SDNP at Deadline 4 [**REP4-064**] (as an update to [**REP1-024**]) to include how it has sought to

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			be fully mitigated (reinstatement of vegetation occurring post completion) it would seem reasonable to consider additional measures delivered through the commitment to Biodiversity Net Gain (BNG) will provide additional landscape benefits. **Actions undertaken** Additional technical note on the special qualities of the SDNP submitted at Deadline 1 **[REP1-024]** and this has been updated at Deadline 4 [**REP4-064**].			further the purposes of the SDNP with respect to each special quality 02/05/24 – Expert to Expert meeting 30/04/24 – SDNPA comment: *Deadline 3 Update – please see our comments on the Special Qualities made at Deadline 2 and Deadline 3 and ties into the comments about compromising designation. This is an overarching matter that will need to be discussed in topic specific conversations as well. Note it goes beyond just landscape matters.* 28/03/24 – Expert to Expert meeting
SDNPA10	SLVIA viewpoints - **Assessment, Scope and Methodology**	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.	The Applicant welcomes SDNPA's agreement of the viewpoint locations	**Agreed**	17/06/22	
SDNPA11	Consideration of Rampion 1 offshore wind farm - for SLVIA **Assessment, Scope and Methodology**	**Concerns** Rampion 1 is assessed as part of SLVIA baseline and is not considered in terms of cumulative effects. We disagree that Rampion 1 should be part of the baseline, on account of it having only a limited lifespan and the eventual decommissioning a probability. **Desired Actions** Applicant to address in Assessment amendments and updates, including in	**Concerns** In accordance with GLVIA3 (Landscape Institute, 2013) (paragraph 7.13), the existing Rampion 1 offshore wind farm included in the baseline conditions in Section 15.6 and seascape, landscape and visual effects assessments in Section 15.10 of Chapter 15 Seascape, Landscape and Visual Impact Assessment, Volume 3 **[APP-056]**.	**Not Agreed – No material impact**	31/05/24	31/05/24: Update in page-turn meeting: Status was confirmed as 'not agreed'. 25/04/24: The Applicant notes that this remains not agreed, noting the SDNPA responses to ExQ1 on this matter in **[REP3-085].** 11/03/24 – Update to Applicant position submitted to SDNPA for review.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		respect of mitigation, compensation through a S106 Agreement and Commitments Register.	Rampion 2 is not assessed against a 'wind farm free' scenario in which Rampion 1 is not present, as this does not accord with relevant assessment guidance (Landscape Institute, 2013/NatureScot, 2021). The decommissioning programme for the offshore elements of Rampion 1 (ROW, 2018) (submitted in accordance with Requirement 8 of the Rampion Offshore Wind Farm Order 2014) assumes that 'full decommissioning will commence after the design life of the Rampion 1 WTGs (24 years)', but that Rampion 1 wind farm 'may be 're-powered' after 24 years with new wind turbines to take advantage of the available lease period with The Crown Estate (40 years), subject to the findings of a new EIA and consent application'. Under the first scenario, the decommissioning assumption is complete removal of all offshore components of Rampion 1 in 2042 (24 years after April 2018). In this scenario, the 116 WTGs comprising Rampion 1 would be removed from the seascape and would contribute to a reduced effect on seascape, landscape and visual receptors. Under the second scenario, i.e., repowering, the Applicant considers that the project design for a possible future Rampion 1 repowering project with 'new turbines' is not reasonably foreseeable at this time and cannot reasonably be assessed, as it is not well-defined or of sufficient detail to make an informed assessment.			

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Guidance in GLVIA3 (Landscape Institute, 2013), the EIA Regulations and PINS Advice Note 17 (PINS, 2019) all encourage an approach of assessing cumulative effects of projects that are reasonably foreseeable (i.e., subject to planning consent, a valid planning application or at scoping/pre-application stage).			
SDNPA12	Rampion 1 decommissioning for SLVIA **Assessment, Scope and Methodology**	**Concerns** Despite being requested during the preapplication stage, there is still no separate assessment of effects of Rampion 2 proposals after the decommissioning of Rampion 1. We therefore consider the current assessment is insufficient. **Desired Actions** Applicant to address in SLVIA amendments and updates, including in respect of mitigation, compensation through a S106 Agreement and Commitments Register.	See response to 'Cumulative Assessment'.	**Not Agreed- No Material Impact**	08/07/2024	20/03/2024: Not agreed. The Applicant considers a separate assessment of Rampion 2 alone (considering effects after decommissioning of Rampion 1) is not necessary and that Rampion 1 should form part of the baseline for the SLVIA **[REP2-024]** (Ref 6.17(c)).

Table 3-7 Status of discussions related to Landscape and Visual Impact Assessment

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA13	**Geographic extent** of assessment of effects on landscape character – **Assessment, Scope and Methodology**	**Concerns** The methodology for assessing the assessment of effects on landscape character (as stated in Appendix 18.1 of the Environmental Statement [APP-167] is agreed. Further matters associated with the assessment are considered below.	**Concerns** Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES **[APP-167]** sets out the methodology for this part of the assessment. The geographical extent of effects has been determined through a combination of desk and site-based analysis, ZTV and viewpoint assessment. It is variable and specific to each Landscape Character Area (LCA). The geographical extent of the effects on landscape character is set out for each receptor in Appendix 18.3: Landscape assessment, Volume 4 of the ES **[APP-169].** **Actions undertaken** • Sequential viewpoints from the South Downs Way added to the Viewpoint Analysis at Deadline 4. • Examples of projects where topography is not flat provided to SDNPA to demonstrate appropriate assessment parameters.	**Agreed**	28/03/24	Applicant has added sequential viewpoints from the South Downs Way to the Viewpoint Analysis at Deadline 4. 28/03/2024 Expert to Expert Call: SDNPA – methodology for assessing the geographic extent not disputed, but professional difference of opinion re extent of significant effects noted (see details below under 'Outcome of EIA').
SDNPA14	**Geographic extent** of assessment of effects on landscape character – **Outcome of EIA**	**Concerns** Significant concern that the assessment of the geographic extent of effects on landscape character has been underestimated. The provision of additional views has not altered this concern, however it is noted that the applicant has acknowledged there is a significant adverse residual effect overall on landscape character.	**Concerns** The Applicant does not agree that the geographic extent of effects on landscape character has been underestimated. The Applicant has produced a number of additional viewpoint illustrations at the request of SDNPA and other consultees. None challenge the geographical extent of significant landscape / visual effects previously assessed and they do not provide evidence of 'under-assessment'. Because LVIA involves subjective assessment it is not	**Not Agreed –No Material Impact**	08/07/24	08/07/24: SDNPA confirm this moves from yellow to orange. 07/06/2024: If this is not agreed based on DL4 submissions The Applicant seeks this matter to move from red to green based on S106 discussions. Applicant has added sequential viewpoints from the South Downs Way to the Viewpoint Analysis at Deadline 4.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			unusual for professional assessors to have a difference of opinion. Considering the statements dated 28/03/2024 from the SDNPA in the Record of Progress column - it is not considered that a change to the assessment of one disputed Viewpoint (F1) would bring into play any new landscape or visual receptors or alter the overall conclusions of the LVIA in respect of the assessment of the special qualities of the SDNP. On this basis the Applicant seeks agreement based on an acceptance that we have exhausted this point of discussion and accept that the disputed viewpoint falls within tolerance of professional judgement.			28/03/2024 Expert to Expert Call: SDNPA – methodology for assessing the geographic extent not disputed, but professional difference of opinion re extent of significant effects noted, example of Viewpoint F1 discussed – applicant assessed the visual affect as Moderate and not significant in accordance with methodology and SDNP considered the effects as significant. Applicant advises there are many other viewpoints at similar distances or beyond demonstrating non-significant visual effects (E, E1a, H7c, H7f J5, I, NP1, NP4, N, O, U, and X as well as sequential views from the South Downs Way) and supporting the judgement on the geographical extent of visual effects – noting this distance was specific to the landscape character with a greater extent recognised for the more open Arun to Adur Downs LCA.
SDNPA15	Consideration of perceptual qualities- **Assessment, Scope and Methodology**	**Concerns** Limited consideration of perceptual qualities in assessment. **Desired Actions** Applicant to address in LVIA amendments	The Applicant does not agree that the methodology applied in consideration of perceptual qualities has resulted in missing effects. The key baseline characteristics of each Landscape Character Area (LCA), including any perceptual qualities such as tranquillity, views, and aesthetics, have been recorded and included in the assessment of landscape sensitivity assessment where relevant. The assessed magnitude of change details the effects of the onshore development; the two are combined to provide an assessment of the LCA and its inherent characteristics, including perceptual qualities. Reference is made to landscape elements which may contribute to the LCA as key characteristics.	**Not Agreed – Material Impact**	30/07/24	30/07/2024: The Status remains red- no agreement has been reached despite the further evidence being provided and being considered by the SDNPA. 25/07/24: SDNPA note the provision of further details at Deadline 5. Whilst some of this information has furthered the scope of consideration of perceptual qualities, it has not resolved the concerns that have been raised throughout the SDNPA submissions. 08/07/24: SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. 28/03/2024 Expert to Expert Call: SDNPA will consider the issue further after more detailed information that has

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			To provide a proportionate assessment it is not considered appropriate to assess each of the key characteristics (including perceptual qualities) for each LCA, particularly as these are accounted for as an integral part of the LCA assessment. The exception to this is in relation to the assessment of effects on the South Downs National Park (SDNP) which integrates an assessment of the SDNP Special Qualities (SQ). The Applicant has carried out further assessment of the special qualities of the SDNP submitted at Deadline 1 [REP1-024] and this has been updated at Deadline 4 [REP4-064]. This document explicitly assesses to a reasonable and proportionate level perceptual qualities as set out in the special qualities including tranquillity, (which by implication includes perceptions of 'time depth') heritage and historic landscape considerations and noise. It provides a proportionate and reasonable approach that accords with GLVIA3 (in the absence of alternative guidance).			recently been submitted has been reviewed.
SDNPA16	Consideration of perceptual qualities- **Outcome of EIA**	**Concerns** This is likely to have resulted in missing effects and therefore has not sufficiently informed an appropriate mitigation strategy.	The report [REP4-064] provides no evidence of 'missing effects' and SDNPA have not provided any detail of missing effects or evidence of alternative approved technical guidance. From a practical perspective it is not considered that further targeted mitigation beyond that already provided (covering noise, construction working hours / practices etc) that would result in a further reduction to 'effects on perceptual qualities' which fall under the remit of landscape and visual effects. The LVIA has been updated to ensure a consistent assessment with the report [REP4-064]. The scope and methodology have been drawn from consultee requests for further assessment on special qualities that include	**Not Agreed – Material Impact**	25/07/24	25/07/24: SDNPA feel that Whilst Dark Night Skies have been considered more explicitly, resulting in targeted mitigation being included as part of the Outline Code of Construction Practice, other perceptual qualities including tranquillity, historic landscape character and noise have not been adequately considered. Therefore, it is still the case that the SDNPA consider that the effects on perceptual qualities have been underestimated and insufficient embedded mitigation demonstrated.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			perceptual qualities and provides a proportionate and reasonable approach to this assessment that accords with GLVIA3. • **Actions undertaken** SDNPA invited to propose and evidence how S106 funding would mitigate specific identified harms. The Applicant's position is that it has applied the mitigation hierarchy to avoid, reduce and then mitigate the impacts of the Proposed Development as far as possible. The section 106 agreement provides compensation for the temporary residual effects of the Proposed Development on the National Park including arising from the onshore cable corridor as it passes through the Park as well as furthering the purposes of the National Park, in particular whist reinstatement becomes established.			08/07/24: SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. 07/06/2024: The Applicant seeks this matter to move from red to green based on S106 discussions.
SDNPA17	Consideration of perceptual qualities- **Mitigation Measures**	Appropriate mitigation is required and compensation, to ensure that impacts on perceptual qualities has been appropriately resolved. This should be through more robust measures in the Commitments Register, followed through in the Outline LEMP and Outline CoCP, as well as the S106 Agreement.	**Actions undertaken** • The Commitment Register [**REP4-057**] addresses perceptual qualities as part of the SDNP SQ in Commitment 66.	**Agreed**	26/07/24	08/07/24: There have been updated to the Commitments Register and OCoCP regarding some perceptual qualities, for example strengthened commitment to mitigation to protect Dark Night Skies, which are welcomed. Subject to the proposed changes to the S106 Agreement being accepted as well as the suggestions that have been made in respect of the OLEMP and OCoCP at Deadline 4, the SDNPA consider this point could be resolved.
SDNPA18	Assessment of construction effects on I3 Arun to Adur Scarp Down-	**Concerns** Significant concerns over assessment of construction effects,	Construction effects on the I3 Arun to Adur Scarp Down Landscape Character Area (LCA) are assessed as negligible to zero in Appendix 18.3:	**Not Agreed – No**	08/07/24	08/07/24: Whilst this point remains a concern, it is noted that the draft S106 Agreement includes a monitoring fund for the SDNPA to review the

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
	Outcome of the EIA	which are assessed as 'negligible to zero' on South Downs Integrated Landscape Character Area (LCA) I3 Arun to Adur Scarp Down. It is difficult to see how this conclusion has been reached given the construction immediately abuts this LCA above and below scarp, as well as going under. Scarp area is open access land. **Desired Actions** Applicant to address in LVIA amendments and updates, including to the Commitments Register.	Landscape Assessment, Volume 4 of the ES **[APP-169]**. This assessment is based on the project description defining this section of the onshore cable corridor as underground during the construction phase through the application of trenchless crossing techniques. As a result, the Applicant considers that no direct significant effect on this LCA is possible. Acknowledged effects relate to the visibility of the trenchless crossing temporary construction compounds; located in adjacent LCAs. Assessment examined a 3D model of the cable corridor within the DTM to determine the likely visibility of trenchless crossing temporary construction compounds from areas within the I3 Arun to Adur Scarp Down LCA. This was evidenced through site visits which determined limited visibility as a result of either landform screening and / or intervening distance. **Actions undertaken** Wireframe examples of the 3D model demonstrating non-significant visual effects on the landscape character of the I3 Arun to Adur Scarp Down provided at Deadline 4. 30/07/2024: The Applicant has produced a number of additional viewpoint illustrations from locations at the request of SDNPA. There is no evidence of 'under-assessment', on the contrary the 3D wirelines and 360-degree viewpoints submitted at Deadlines 4 and 5 demonstrate notable landform screening of the maximum horizontal and vertical extents of the trenchless crossing construction compounds (noting that these are alternative options) and that the cable corridor will be underground. Any views of more distant construction works are visual effects and effects on landscape character. Because LVIA involves subjective assessment it is not unusual	**Material Impact**		construction process (as well as beyond), therefore we consider it will be possible to assess the construction effects at the point of construction and discuss appropriate mitigation then. Without this, it is considered the point would be 'not agreed – material impact'. 07/06/2024: If this is not agreed based on DL4 submissions The Applicant seeks this matter to move from red to green based on S106 discussions. Applicant has provided example wireline of the 3D model demonstrating visual effects on views, viewing beyond the landscape character area boundary rather than any significant change to the landscape character of the I3 Arun to Adur Scarp Down at Deadline 4.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			for professional assessors to have a difference of opinion.			
SDNPA19	I3 Arun to Adur Scarp Down Construction effects- **Mitigation Measures**	**Concerns** Significant concerns regarding mitigation for effects arising from construction on South Downs Integrated Landscape Character Area (LCA) **I3 Arun to Adur Scarp Down**. **Desired Actions** Applicant to address with appropriate mitigation.	**Concerns** The Applicant considers that the assessment of significance of effects arising from construction on South Downs Integrated Landscape Character Area (LCA) I3 Arun to Adur Scarp Down is appropriate. The assessment presented in Appendix 18.3: Landscape Assessment, Volume 4 of the ES **[APP-169]** considered the significance of effect to be negligible to zero**.** The Applicant does not consider that compensation is appropriate for this level of effect. **Actions undertaken** Wireframes of Scarp Down area derived from digital terrain model provided	**Agreed**	30/07/24	30/07/24: The Applicant proposes that through the S106 discussions this matter should be agreed.
SDNPA20	Assessment of Landscape character- **Assessment, Scope and Methodology**	**Concerns** It is not clear how views have been selected and assessed in respect of the effect on landscape character, including tranquillity. **Desired Actions** Clarification of process used required.	**Concerns** The viewpoint selection process is set out on pages 78-79 of Chapter 18: Landscape and visual impacts, Volume 2 **[APP-059]**. The viewpoint assessment process is described in Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES **[APP-167]**. 'Limitations of Visualisations' is presented on page 46 of Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 of the ES **[APP-167].** The Applicant does not consider that Landscape Character Areas (LCAs) and / or qualities such as tranquillity can be assessed by reference to a single, static viewpoint. Although the landscape assessment makes reference to viewpoint visualisations as illustrative material, the nature of the receptor (including its character, quality and	**Agreed**	25/07/24	25/07/24: Agreed based on Deadline 5 submissions. 08/07/24: SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. A number of viewpoints were examined at Expert-to-Expert Meetings 15/02/24 and 28/03/24 and the explanation / clarification provided here reiterated, noting that the LVIA refers to particular viewpoints and receptors as part of the assessment for each landscape character unit and again as part of the assessment of the SDNP and special qualities in Appendix 18.3

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			sensitivity) and the magnitude or nature of change have been assessed through a combination of desk and site-based assessment (examples include baseline data such as landscape character assessments and site visits (walking footpaths / driving through the area and observing the landscape), referencing and visiting receptors and a range of viewpoints located both within and / or viewing across the relevant receptor). The methodology for assessment is presented in Appendix 18.1 Landscape and visual impact assessment methodology, Volume 4 of the ES **[APP-167]**. The LVIA refers to particular viewpoints and receptors as part of the assessment for each landscape character unit. **Actions undertaken** • Further commentary provided for viewpoints where requested • Provision of wireframes for viewpoints G/LD1/LD2 • Further photography undertaken for viewpoint H7a Updated visualisations provided as PDF files			
SDNPA21	Viewpoint siting- **Assessment, Scope and Methodology**	**Concerns** At the Third Statutory Consultation Exercise (Further Supplementary Information Report – 2023) the SDNPA advised micro-siting of viewpoints be undertaken in consultation with Stakeholders. This has not taken place and viewpoint locations have not been agreed.	The Applicant considers that the suite of viewpoints and visualisations related to the SDNP (both within its boundary and from the surrounding area) provide a range of illustrative material to accompany the LVIA depicting a variety of receptors and different LCAs at various distances and directions, including 'worst case' examples. The Applicant maintains that the viewpoints selected are proportionate and appropriate. Should the South Downs National Park Authority (SDNPA) wish to advise on further micro-siting of specific viewpoints, the Applicant will continue to engage with SDNPA to refine the locations where we reach agreement for this to be necessary.	**Agreed**	08.07.24	08/07/24: Following the ongoing discussion and the submission of the additional and amended viewpoints, SDNPA agree clarity has been provided and the correct viewpoint locations have been confirmed. A number of viewpoints were examined at Expert-to-Expert Meetings 15/02/24 and 28/03/24 and clarification provided to confirm that all consultation requests for viewpoint micro-siting had been undertaken. Appendix 18.6: Viewpoint Directory to be updated at Deadline 4 with further explanation on micro-siting. In addition, amendments to some

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		Desired Actions Further work by the Applicant required to refine the locations in collaboration with stakeholders.	**Actions Undertaken:** • Reference to viewpoint selection and recommendations from consultees, including the SDNPA, were integrated into the ES. • Viewpoint Directory provided as requested by SDNPA (Appendix 18.6: Viewpoint directory, Volume 4 of the ES **[APP-172]**). This documents selected / amended / omitted viewpoints as requested by SDNPA. • All additional viewpoints proposed by SDNPA undertaken. All amendments to existing viewpoints requested by SDNPA undertaken.			viewpoints, requested as part of the Expert-to-Expert Meetings will also be provided at Deadline 4.
SDNPA22	Special Qualities of the South Downs National Park- LVIA aspects **Assessment, Scope and Methodology**	**Concerns** Lack of assessment of effects on Special Qualities that underpin the NP Designation. This is evidenced throughout the Environmental Statement but is particularly relevant to the SLVIA and LVIA. **Desired Actions** Applicant to address in updated Assessments	**Concerns** Chapter 18: Landscape and Visual Impact, Volume 2 of the ES **[APP-059]** contains an assessment of the Special Qualities of the SDNP in Appendix 18.3: Landscape Assessment, Volume 4 of the ES **[APP-169]**. This assessment concludes that: "Two of the seven special qualities of the SDNP will be significantly affected: (1) diverse, inspirational landscapes and breathtaking views; and 3) tranquil and unspoilt places). … In terms of the integrity of the SDNP, the short duration of these effects and the largely reversable nature of the effects (in that the onshore cable corridor will be reinstated and hedgerows re-planted) indicates that the integrity of this part of the SDNP (within the LVIA Study Area) will not be adversely or significantly affected."	**Not Agreed – Material Impact**	25/07/24	25/07/24: SDNPA feel that the further information provided at Deadline 4 [REP4-064] has demonstrated that an assessment has been carried out in respect of the National Park Special Qualities. However, there is unlikely to be agreement on the conclusion of the assessment that there would not be harm to the Special Qualities. 08/07/24: SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. . 02/05/24 – Expert to Expert meeting

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Short-term effects will extend through the construction period and while they cannot be fully mitigated (reinstatement of vegetation occurring post completion) it would seem reasonable to consider additional measures delivered through the commitment to Biodiversity Net Gain (BNG) will provide additional landscape benefits. **Actions undertaken** Additional technical note on the special qualities of the SDNP submitted at Deadline 1 [**REP1-024**].			
SDNPA23	Special Qualities of the South Downs National Park- LVIA aspects **Mitigation Measures and Compensation**	**Desired Actions** Applicant to address through mitigation and compensation package.	Mitigation hierarchy has been followed and the Applicant has provided a S106 offer which has been agreed to by SDNPA. The Applicant has considered carefully the effects of the Proposed Development on the Special Qualities of the SDNP as set out in its post hearing submission following Issue Specific Hearing 2: Further Information on South Downs National Park [REP4-063] It has minimised impacts on the Special Qualities through design. Where temporary significant residual effects arise, the harm is of a short-term and reversible nature when considering the high standards of environmental mitigation secured through the Commitments Register [**REP4-057**] and draft DCO [**REP4-004**]. The Applicant's position is that the compensation fund secured through the section 106 agreement adequately offsets and compensates for the effects on the Special Qualities and enables furtherance of the statutory purposes of the South Downs National Park. The fund is to be applied to a range of projects to be agreed by a steering committee comprised of (as a minimum) the Applicant and the SDNPA	**Agreed**	29/07/24	29/07/24: final agreement has been reached on S106 between SDNPA and the Applicant- thereby moving this to green. 08.07.24: Further comments on S106 Agreement have been sent to the applicant. Subject to this, SDNPA accept that the compensation package will help resolve the residual harm to onshore landscape character and visual impact experienced within the National Park. 07/06/2024: The Applicant seeks this matter to move from red to green based on S106 discussions.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA24	Sequential viewpoints- **Assessment, Methodology and Scope**	**Concerns** Sequential testing viewpoints do not adequately reflect the continuous views as a visual receptor moves along the South Downs Way available that will be affected by the proposals. The SDNPA therefore considered the impacts on receptors have been underestimated. **Desired Actions** Suggest applicant undertakes kinetic viewpoint testing (example document: Shoreham Airport application reference AWDM/ 1093/17 LVIA additional information). Mitigation measures and Commitments Register to be updated.	**Concerns** The Applicant does not agree that the impacts on receptors have been underestimated as a result of the approach to sequential testing. The use of sequential viewpoints along the South Downs Way to support and illustrate the LVIA was set out at PEIR and Scoping and was not disputed by SDNPA and was not raised as a matter of concern during consultation. Assessment has been based on a combination of desk and site-based assessment, involving walking the whole section of this route. Assessment is illustrated by sequential viewpoints from key locations along the route demonstrating the range of effects. The Applicant considers that the provision of sequential viewpoints is proportionate and appropriate. Assessment examined a 3D model of the cable corridor within the DTM to determine the likely visibility of onshore development from the South Downs Way at regular intervals to define the limits of visual effects and levels of effect / significance. This was supported by site visits to confirm the assessment. The Applicant does not agree that additional sequential viewpoints are required or that the LVIA presented in Chapter 18: Landscape and Visual Impact, Volume 2 of the ES **[APP-059]** or the Commitment Register **[REP4-057**] require updating. **Actions undertaken** • Wireframes derived from 3D modelling shared with SDNPA Sequential viewpoints added to figures and Appendix 18.2 and 18.6	**Not agreed – Material impact**	25/07/24	25/07/24: Additional wirelines have been provided, which is welcomed. No supporting photography has been provided. Kinetic / sequential viewpoints were discussed at Expert-to-Expert Meetings 15/02/24 and 28/03/24. Examples of 3D model wirelines, shared as part of Expert-to-Expert Meetings will be provided at Deadline 4 and sequential viewpoint added to figures and Appendix 18.2 and 18.6 by Deadline 4 for completeness.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			30/07/2024 – The Applicant notes that it has produced a number of additional viewpoint illustrations at the request of SDNPA and the LVIA relating to the South Downs Way has been updated. This additional information does not challenge or alter the previous assessment conclusions and they do not provide evidence of 'under-assessment'. Because the viewpoint locations are presented as wirelines illustrating only the DTM / bare-earth (they do not show trees / hedges or woodland for example) they present a 'worst case' for assessment purposes. In addition, because they are located along the South Downs Way and within the open A3: Arun to Adur Open Downs baseline photographs would provide limited additional information beyond the smooth, grass covered profiles of the hills. Further the LVIA has been undertaken in the field by chartered landscape architects. It is not necessary or proportionate to provide viewpoint photography considering the large volume of material and detailed written assessment provided to date. It is therefore submitted that provision of additional photography for each of these wirelines (which were volunteered by the Applicant) is disproportionate. GLVIA3 advises that LVIAs should be proportionate.			
SDNPA25	Sequential viewpoints- **Outcome of EIA**	As a result of the lack of assessment of sequential/kinetic viewpoints, the EIA has not been able to conclude on the impacts on visual receptors.	The Applicant does not agree that the impacts on receptors have been underestimated as a result of the approach to sequential testing.	**Not Agreed – Material Impact**	25/07/24	25/07/24: No additional visual impact assessment added at Deadline 5 submission and point stands. With no further information that can be provided, this cannot be agreed. 07/06/2024: If this is not agreed based on DL4 submissions The Applicant seeks this matter to move from red to green based on S106 discussions.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA26a	In combination effects- **Outcome of EIA**	**Concerns** Despite significant Proposed Whole Development Effects being identified in section 18.2, these appear to be omitted in Chapter 18, therefore we disagree with the conclusions in terms of the effect of the Proposed Development, both during construction and once operational. **Desired Actions** Applicant to clarify where the conclusions on extent Proposed Whole Development effects can be found and further mitigation and compensation measures secured.	**Concerns** The Applicant confirms that 'Whole Project' effects are identified and assessed in Appendix 18.2: Viewpoint Analysis, Volume 4 of the ES **[APP-168]**. Whole Project effects are assessed, in relation to the onshore cable, in Appendices 18.3: Landscape Assessment, Volume 4 of the ES **[APP-169]** and 18.4: Visual Assessment, Volume 4 of the ES **[APP-170].** Chapter 18: Landscape and Visual Impact, Volume 2 of the ES **[APP-059]** refers to 'Whole Project' effects in respect of the Oakendene Substation and the Existing National Grid Bolney Substation Extension, providing a summary in relation to the onshore cable in paragraphs 18.11.31, 41, and 59. Whole Project effects combine SLVIA and LVIA, with the onshore elements mitigated. The Applicant does not consider further mitigation and compensation measures to be required in regard to onshore elements. Whole Project effects are presented in ES Chapter 30 **[APP-071]** **Actions undertaken** • The Applicant has signposted where Whole Project effects are presented and assessed within the ES. S106 agreement discussions underway. Mitigation Measures have also been discussed through Written Representations. The 'whole project' impacts on landscape resources and visual amenity has been assessed through the ES. Where permanent significant effects on special qualities related to landscape and scenic beauty are acknowledged the effect arising does not translate into compromising the statutory purpose of the SDNP within the area of the Order Limits or	**Not agreed –material impact**	31/05/24	07/06/2024: The Applicant seeks this matter to move from red to green based on S106 discussions. 31/05/2024: SDNPA noted this is still: not agreed- material impact 11/03/2024: Applicant has identified where those assessments are found. Noting also that whole project effects are covered in ES Chapter 30.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			across the area of the SDNP as a whole. Where temporary significant residual effects arise, the harm is of a short-term and reversible nature when considering the high standards of environmental mitigation secured through the Commitments Register [**REP4-057**] and draft DCO [**REP4-004**] The Applicant's position is that the compensation fund secured through the section 106 agreement adequately offsets and compensates for the effects on the Special Qualities on a 'whole project' basis and enables furtherance of the statutory purposes of the South Downs National Park. The fund is to be applied to a range of projects to be agreed by a steering committee comprised of (as a minimum) the Applicant and the SDNPA			
SDNPA26b	In combination effects- **Mitigation Measures and Compensation**	A robust package of mitigation and compensation is secured through the S106 Agreement	The Applicant's position is that the compensation fund secured through the section 106 agreement adequately offsets and compensates for the effects on the Special Qualities on a 'whole project' basis and enables furtherance of the statutory purposes of the South Downs National Park. The fund is to be applied to a range of projects to be agreed by a steering committee comprised of (as a minimum) the Applicant and the SDNPA	**Agreed**	2907/24	29/07/24: final agreement has been reached on S106 between SDNPA and the Applicant- thereby moving this to green. .
SDNPA27	Loss of key landscape features- **Mitigation Measures**	**Concerns** Significant concerns over likely success of proposed hedge notching. The examples cited for use of the technique in the Lake District and Norfolk Broads are not likely to have encountered the challenges of dry, free draining chalk soils. No proven testing undertaken to evidence proposals. If this would not work, the	The Outline Code of Construction Practice **[REP4-043],** commitment C-115 and assessment presented in Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2 of the ES **[APP-063]** describe the approach to hedgerow notching. In response to Relevant Representations, text for C-115 has been amended for clarity. The removal of short sections of hedgerow, to allow the installation of cables and replanting, is a typical	**Not Agreed – Material Impact**	25/07/24	The Applicant does not agree that this is material impact, but can agree to disagree at this point as it can't supply any further assurances than what it has already provided. 31/05/24 – during page turn meeting the SDNPA confirmed this is considered **Not agreed – Material impact.** Felt that the Applicant had not answered the point on: 'Clarity required to explain why 6m width

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		landscape, ecological and visual impact would be significant. Clarity required to explain why 6m width notching technique cannot be used for all hedges regardless of importance. For many of the hedgerows where notching will be implemented, these are tree-lined hedgerows. Should notching be successful, the overall character of these features will still be significantly altered as it is not possible for the trees to be replaced. **Desired Actions** Applicant to provide further evidence on achievability on shallow chalk soils in Southern England. Applicant to provide further evidence on reasoning.	approach used on the majority of cabling / pipeline projects. The Proposed Development differs from many projects in that the Applicant has sought to minimise extent of the gap in hedgerows by considering what is feasible and proportionate for each individual hedgerow crossing. Further information is provided in the Outline LEMP, Annex A **[REP4-047]**. The existence of hedgerows planted and established across the South Downs National Park (SDNP) provides evidence that hedgerows can be established in this area. There is no reason to assume that new hedgerow plants, planted to infill gaps in hedgerows that have been notched, would not establish in a similar manner to existing hedges. The Outline LEMP **[REP4-047]** sets out management and maintenance processes, including replanting, should any plants fail to establish. The Applicant notes that hedgerows are 'man-made' elements, often subject to replanting, coppicing, laying and / or trimming. An actively farmed and rural landscape includes examples of change to hedgerow management/ The establishment of new hedgerows forms part of the 'working' landscape character. This may vary between landowners and LCAs. **Actions undertaken** Detail added to OLEMP **[REP4-047]** concerning monitoring and remedial action to be taken regarding newly planted or translocated vegetation.			notching technique cannot be used for all hedges regardless of importance'– Applicant confirmed this had been answered in representations but will supply these. The Applicant has provided further explanation at Terrestrial Ecology Expert to Expert meeting (17/04/2024)- setting out that notching means taking out small sections of hedgerow as opposed to a clear cutting of a wider section. Hedgerows are planted by landowners as common practice across the south downs. At Deadline 4 - Further detail has been added to the LEMP on monitoring and remedial action should any issues be detected for newly planted or translocated vegetation. SDNPA to consider the Applicant's submissions.
SDNPA28	Reinstatement of Rampion 1- **Project Delivery Concerns**	**Concerns** Disagree with assertion that Rampion 1 cable corridor was successfully reinstated – there remain several	**Concerns** The Applicant is unable to comment on the reinstatement of land following Rampion 1 works as this is not a matter for this DCO Application.	**Agreed**	25/07/24	25/07/24: This matter has moved to green on the basis that there are now embedded measures in the Outline Landscape and Ecological Management Plan and Outline Code of Construction

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		areas where corridor is still visible, and it took much longer in other sections (3+ years) for the corridor to demonstrate improvement. There also remain outstanding issues regarding ongoing management and maintenance of the route including failure of wildflower, hedgerow and grass planting, retention of fencing and reluctance to manage as agreed. **Desired Actions** Applicant to provide further evidence on how Rampion 1 lessons have been taken into consideration and demonstration of how these will be dealt with through Commitments Register	Methodologies for reinstatement that will be applied by Rampion 2 to ensure construction (including restoration) is undertaken in a sensitive and appropriate way are presented in the Outline Construction Method Statement **[APP-255],** the Outline Code of Construction Practice (CoCP) **[REP4-043**], and the Outline Landscape and Ecology Management Plan (LEMP**) [REP4-047]**. These documents are secured within the draft Development Consent Order (DCO) **[REP4-004]** under Requirements 12, 22 and 23. **Actions undertaken** • Applicant has re-stated to SDNPA, in responses to relevant representations, that Rampion 2 should be considered on its own merit. Applicant requested that SDNPA consider appropriate detail on monitoring and remedial action, over and above that already included in the CoCP and LEMP, to be included in the LEMP at Deadline 3.			Practice. The securing of the S106 Fund to enable SDNPA to monitor the construction and reinstatement of the cable corridor as well as the stage specific CoCP and LEMP will be critical to this matter being resolved. The move to Agreed is therefore made in good faith. 08/07/24: SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. 30/04/24 - SDNPA comment: *Deadline 3 update. Whilst it is agreed that Rampion 2 should be considered on its own merit, there are instances throughout the Environmental Statement (LVIA, Ecology, soil management, for example) where the 'successful reinstatement' of Rampion 1 has been relied upon to suggest harm will be avoided or would occur for a negligible period of time. This has been demonstrated through our own submission to have not been the case. Therefore, clearer demonstration is needed of the steps within the proposed mitigation and control documents (CoCP for example) of how poor management of soil and other practices that caused more significant harm to NP purposes during construction (and beyond) will be avoided and how such practices will actively conserve, enhance and seek to further NP Purposes will be undertaken.* 11/03/2024: Applicant have confirmed Lessons Learnt have been considered from a number of projects including Rampion 1.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						Applicant has re-stated to SDNPA in responses to relevant representations that Rampion 2 should be considered on its own merit. However, in relation to concerns around reinstatement, next steps are for SDNPA to consider the additional detail on monitoring, and timely remedial action that is being added to the LEMP at deadline 3. 11/03/2024: SDNPA have suggested that the individual points could be addressed under each relevant topic area. Further discussions will take place in Expert-to Expert Meetings. This row has potential for resolution.

Table 3-8: Status of discussions related to Terrestrial Ecology and Nature Conservation

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA29	Landscape Scale effects on terrestrial ecological features- **Assessment, Scope and Methodology**	**Concerns** Significant concern that the conclusion 'no significant effects have been identified on terrestrial ecology features' is based on insufficient survey data, ecological assessment, and mitigation proposals. SDNPA therefore disagree with this conclusion. **Desired Actions** Robust ecological surveys need to be carried out to properly inform the impact assessment process, ensure that suitable mitigation and compensation measures can be identified and designed and to determine whether residual effects are acceptable prior to determination. The assessment should consider temporal and spatial changes in landscape connectivity and how these can be assessed through targeted survey, avoided and mitigated in the short term (through e.g., timing of works) and long term (e.g., through ongoing monitoring and management). Survey to UK Habitat Survey Level 4/5 within entire DCO limit (plus appropriate buffer), plus to National Vegetation Classification level in grassland and woodland areas within zone of influence, using surveyors with demonstrable competence.	**Concerns** SDNPA has requested habitat surveys to UK Habitat Classification level 4/5 within the entire proposed DCO limits (plus appropriate buffer). Terrestrial ecology survey commenced in 2020, during a period when Phase 1 habitat survey was still the typical approach to habitat survey for all developments. Mandatory biodiversity net gain (BNG) for NSIPs had not yet been adopted as part of the Environment Act 2021. Supporting technical information for the Biodiversity Metric 4.0 (Natural England and Other Parties, 2023) provides a conversion table for Phase 1 habitat classifications to (largely) Level 4 as is required by Natural England to measure BNG. The make-up of the terrestrial ecology field survey programme was discussed regularly with SDNPA and other stakeholders between 2020 and 2023 at which time views on survey type and survey effort were requested. Over 90% of the proposed Order Limits have been subject to Habitat survey. This is in excess of many similar scale linear major infrastructure projects. Therefore, the Applicant considers that the level of survey information available is adequate and appropriate for assessment purposes as presented in Chapter 22: Terrestrial ecology and nature conservation, Volume 2 of the ES **[APP-063].** During detailed design, baseline information will be updated to inform both decisions on micro-siting and ways of working, as well as detailed BNG calculations.	**Not Agreed- Material Impact**	25/07/24	The Applicant has concluded discussions with Arun District Council, Horsham District Council and West Sussex Council where the scope and scale of the field surveys is considered to be appropriate for informing the assessment. Discussions with Natural England are also almost completed, with the Applicant awaiting letters of no impediment for water vole and hazel dormouse following the submission of draft licence applications. These are expected prior to Deadline 6. The Applicant provided an additional commitment at Deadline 3 (see C-294 in the Commitments Register [REP5-086]) to ensure that the detailed design and post-consent BNG calculations would be based on a full data set gathered to the latest guidelines (published after data collection pre-application had ended). 25/07/24: SDNPA agree that a sufficient resolution has been reached in respect of protected species, for the time-being. The new Requirement for further surveys is welcomed. There is still a fundamental concern regarding how the scope of survey has been reached and the survey itself, particularly in respect of habitat features and the zone of influence for terrestrial ecology. Essentially, as stated in our written submissions, this matter has not been scoped or assessed through the correct lens. The Applicant notes in response that it has concluded discussions with Arun District Council, Horsham District Council and West Sussex Council where the scope and scale of the field surveys is considered to be appropriate for informing the assessment. Discussions with Natural England are also

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			An assessment of temporal and spatial connectivity is requested. Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [**APP-063**] provides an assessment of the effects of fragmentation based on an effort to reduce the level of hedgerow and woodland loss across the onshore cable route to a greater extent than comparative offshore wind farm export cable routes. This effort means that, across the onshore route, there are linkages across the onshore cable corridor due to trenchless crossings (for example horizontal directional drilling (HDD)) preserving hedgerows, tree lines etc. and small gaps that can be navigated at the time of loss. The timing of loss (see Chapter 4: The Proposed Development, Volume 2 of the ES **[APP-045]** and the timing of reinstatement [see C-103 of the Commitments Register [**REP4-057**] are broadly defined (e.g., losses mainly set to occur during winter periods – due to need to avoid nesting birds) and reinstatement to occur within two years of loss.			almost completed, with the Applicant awaiting letters of no impediment for water vole and hazel dormouse following the submission of draft licence applications. These are expected prior to Deadline 6. The Applicant provided an additional commitment at Deadline 3 (see C-294 in the Commitments Register [REP5-086]) to ensure that the detailed design and post-consent BNG calculations would be based on a full data set gathered to the latest guidelines (published after data collection pre-application had ended). At Deadline 4 the Applicant provided a detailed response on legally protected species survey within Appendix B of the Applicant's comments on Deadline 3 submission [REP4-070]. This information was discussed with Natural England on 22/05/24. Steps to conclude ongoing discussions with Natural England are being progressed. Arun District Council and Horsham District Council in their Deadline 3 submissions are largely content with the level of survey effort. Therefore, the Applicant is hopeful that should issues be resolved with Natural England (as expected) then resolution with SDNP would also be possible. 17/04/24: The Applicant has provided further explanation at Terrestrial Ecology Expert to Expert meeting. - This included approach to surveys, mitigation measures (including further commitments added to the Commitments Register [**REP4-057**]. SDNPA to consider the Applicant's submissions.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						11/03/24: Following our Deadline 3 submission and the meeting earlier this month, we think this matter should be split into the following areas: • Landscape-scale effects on terrestrial ecological features; • Dormice • Bats • Demonstration of net loss within the National Park and how this has been avoided and mitigated • Compensatory measures (S106) • Delivery of BNG in the National Park Once this has been done, we can help expand our position. At this point, the status for all is still a point of discussion. This topic is covered in Relevant Representations, Written Representations and associated responses from the Applicant.
SDNPA30	Landscape Scale effects on terrestrial ecological features- **Mitigation and Enhancement Measures**	To date, no details of a robust and substantial mitigation package has been forthcoming – for example a Biodiversity Management Plan, or a package of compensation measures through a S106 Agreement.	Further hedgerow specific measures will be defined at detailed design (including construction and reinstatement schedule). The reinstatement, management and monitoring of habitats is presented in the Outline Landscape and Ecological Management Plan **[REP4-047].** The Applicant's position is that it has applied the mitigation hierarchy to avoid, reduce and then mitigate the impacts of the Proposed Development as far as possible. The section 106 agreement provides compensation for the temporary residual effects of the Proposed Development on the National Park including arising from the onshore cable corridor as it passes through the Park as well as furthering the purposes of the National	**Agreed**	25/07/24	08/07/24: Further comments on S106 Agreement have been sent to the applicant. Subject to this, whilst we consider additional steps could and should be taken in respect of the OLEMP and a biodiversity management plan, we accept that the compensation package will help resolve the residual harm to terrestrial ecology character experienced within the National Park. 07/06/2024: If this is not agreed based on DL4 submissions The Applicant seeks this matter to move from red to green based on S106 discussions. S106 projects outlined will enhance ecological features and connectivity at a landscape scale.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Park, in particular whist reinstatement becomes established. The Applicant notes that during and following construction there will be residual effects (though not significant) on the habitats and species within the construction area. Notwithstanding the conclusions as to residual effects, it is the Applicant's position that the commitment to delivering at least 10% Biodiversity Net Gain and the delivery of a compensation fund to contribute towards the furtherance of the aims of the SDNP through the section 106 agreement will result in positive outcomes for the area in the medium to long term. .			
SDNPA31	Dormouse survey- **Assessment, Scope and Methodology**	Insufficient surveying of Dormice has been undertaken in respect of the final route. Whilst the principle of a sampling technique could be acceptable, the manner in which it was undertaken and the scope of the survey were not acceptable and could not adequately demonstrate the conclusions reached in the Environmental Statement.	See Applicant's deadline 4 response to Natural England (see Appendix B of the Applicant's comments on Deadline 3 submission [REP4-070]). The assessment scope and methodology are robust.	**Agreed**	25/07/24	25/07/24: SDNPA: The approach agreed with Natural England is noted and SDNPA accept this resolution. Discussion with Natural England's Wildlife Licensing Service was held on 22/05/24. Actions are currently being undertaken to reach an expected agreement with Natural England through provision of a letter of no impediment for hazel dormouse. It is assumed by the Applicant that if the approach to hazel dormouse can be agreed with Natural England (as it has currently with Arun District Council, Horsham District Council and Mid-Sussex District Council) that an agreement with SDNPA could be reached.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA32	Bat survey- **Assessment, Scope and Methodology**	Insufficient surveying of bats has been undertaken in respect of the final route. Whilst the principle of a sampling technique could be acceptable, the manner in which it was taken and the scope of the survey (including multiple equipment failures) were not acceptable and could not adequately demonstrate the conclusions reached in the Environmental Statement.	See Applicant's deadline 4 response to Natural England. The assessment scope and methodology are robust.	**Agreed**	25/07/24	25/07/24: SDNPA: Natural England's response in REP5-140 is noted. The applicant has informed them they will not be pursuing a Letter of no Impediment for bats. There is a residual risk to programme scheduling should licenses be required at a later date. We consider this is slightly different to the summary below, however, accept that there is no objection from Natural England on this point. Discussion with Natural England's Wildlife Licensing Service was held on 22/05/24. Actions are currently being undertaken to reach an expected agreement with Natural England on bats and bat survey. It has been agreed, subject to confirmation following exchange of information, that a draft licence application is not needed for bats. It is assumed by the Applicant that if the approach to bats can be agreed with Natural England (as it has currently with Arun District Council, Horsham District Council and Mid-Sussex District Council) that an agreement with SDNPA could be reached.
SDNPA33	Delivery of BNG in the National Park **Compensation and enhancement**	The application does not make clear that where habitat units are lost within the National Park, these would be compensated for and net gain achieved within the National Park. The SDNPA has not had the opportunity to properly interrogate the worksheets for BNG to ensure these are accurate for our area. Furthermore, it is noted that condition surveys have not been provided – where condition assessments have been provided, these have been very broad in approach meaning that areas of good and poor condition have not been properly identified.	The Applicant has followed the mitigation hierarchy to avoid and reduce losses and offers to deliver enhancement, over and above compensation of impact on habitats. The Applicant is delivering 10% BNG on a voluntary basis. This has been secured through the DCO – and the means of delivery has been set via the BNG Appendix. The calculation of losses within the SDNPA has been submitted at deadline 3. The Applicant's position is that the commitment to delivering at least 10% Biodiversity Net Gain contributes towards the furtherance of the aims of the SDNP and	**Not Agreed- No Material Impact**	25/07/24	29/07/24: The Applicant was undertaking habitat surveys from April 2020. Hence, changing approach two years later would have required re-surveying large areas of land, with associated access organisation issues. This would have added unnecessary delays to programme as well as costs. It is far more useful and reasonable to conduct the condition assessments as planned by the Applicant at the pre-construction stage. The Applicant maintains that the approach taken is reasonable given the timing of the start of the field surveys and the adoption of a commitment to delivering BNG, despite it not being mandatory.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			will result in positive outcomes for the area in the medium to long term.			25/07/24: Condition assessments have been a requirement since April 2022 and so SDNPA do not accept that it would not have been possible to provide when requested at an early stage in the examination process. Provision of worksheets is welcomed, although has come very late in the examination. No mapping has accompanied these, which is unfortunate. This should have at least been provided to indicate where areas of high distinctiveness are located and identification of where replacement/enhancement could take place in close proximity, prior to determination. It is noted that such information will be available at post-consent stage, as secured through Requirement 14. 08/07/24: The worksheets for BNG have now been provided and the applicant has also provided updated Metrics that demonstrate the levels of loss and gain in the SDNP specifically – this is welcomed. Further changes to Requirement 14, in line with those suggested by WSCC and SDNPA, have been proposed by the ExA. If the Applicant is accepting these, we should be in a better position to agree delivery of BNG in the National Park. SDNPA will consider relevant submissions being made by the Applicant at Deadline 5. The Applicant notes that SDNP are seeking to coordinate delivery of BNG within their boundaries. The Applicant confirms that they would be seeking to engage with the SDNP to identify suitable BNG units for purchase during the discussions around the disposal of Requirement 14. Further to DL4 feedback- note that the Applicant will submit new calculations to the

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						LPAs – where the areas within the SDNPA have been excluded.
SDNPA34	**Construction Methodology**- Horizontal Directional Drilling (HDD) – Chalk streams and grassland- **Outcome of EIA**	**Concerns** Insufficient evidence has been provided to support the conclusion of no likely significant impact of HDD drilling on chalk streams and chalk grassland habitats, as well as the impact on users of the public rights of way network and open access land. Further, the order limits within this area are unnecessarily large; the Order Limits should be restricted if the applicant is certain they are able to use this technique in this area. **Desired Actions** Provide further evidence/justification based on relevant case studies and trials, etc	**Concerns** HDD is a mitigation that has been used routinely for linear projects (electrical transmission cables and pipelines (e.g., gas, oil and water) for both large infrastructure and smaller scale applications. HDD has been used frequently to cross a range of sensitive ecological features including designated sites, ancient woodland, rivers, and other priority habitats. For example, an HDD crossing of 550m through chalk substrate, with a sizeable change in elevation (80 to 90m difference) was successfully completed at Dunstable Downs on the Kensworth to Rugby Pipeline project for CEMEX in 2008 (including crossing part of Dunstable and Whipsnade Downs SSSI). It is also notable that HDD within chalk substrate was carried out successfully on the route of the transmission cable for the Rampion 1 OWF. The approach to minimising and effectively managing the risks of trenchless crossings is outlined in the Outline Construction Method Statement **[APP-255]** and the Outline Code of Construction Practice **[REP4-043].** The Order Limits are wider than standard specifically in the most environmentally sensitive locations – such as chalk grassland, in order to ensure the optimal trenchless crossing pathway can be identified and so that any risks to the environment (which the Applicant makes the case are low) are absolutely minimised.	**Not Agreed- No Material Impact**	08/07/24	08/07/24: SDNPA confirm this moves from yellow to orange. 30/04/24 – SDNPA comment: *SDNPA will review the latest responses at Deadline 3 on this matter.* 11/03/24 – Relevant Representation responses provided to SDNPA. 11/03/24 - SDNPA confirmed bilateral discussion regarding Dunstable Downs to confirm underlying geology with Natural England. 11/03/24 – Applicant discussed HDD in relation to chalk downs with engineering.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA35	Horizontal Directional Drilling (HDD) – Chalk streams and grassland- **Mitigation Measures**	There is limited mitigation provided to ensure that any potential harm encountered could be either avoided or mitigated.	**Actions undertaken** Evidence of case studies provided at Deadline 2. Mitigation measures to manage any risks of trenchless crossings are set out clearly in the COCP. The risk mitigation techniques relevant to trenchless crossings in the Commitments Register **[APP-254]**. are as follows: Construction Pollution Prevention *C-8, C-76 PPPs, C-142, C-149, C-150, C-151, C-153 Operations and Maintenance Plan and PICP, C-167, C-227, C-234 Drilling Fluid Breakout Management, C-235 Pipeline Design for Installation of Horizontal Directional Drilling, C-236, C-241, C-245, C-251 and C-253.General practices for the conservation of sensitive environmental features: C-216, C114* The potential risks of HDD have been considered by the relevant Chapters of the ES and are assessed as Low	**Agreed**	30/07/24	30/07/24 The Applicant is pleased that SDNPA welcome the firming up of the mitigation measures. Regarding a related issue that has arisen regarding SDNP's request for a monitoring fund - It is the Applicants position that the monitoring fund agreed as part of the S106 should be used to monitor compliance with the planning obligations secured by the section 106 agreement and steps taken by the Applicant to seek to further the statutory purposes of the South Downs National Park. 08/07/24: A number of changes have been proposed by the ExA to secure the Crossing Schedule as a separate requirement. The firming up of the Commitments Register is also welcomed. As mentioned above, the securing of a Monitoring Fund to enable the SDNPA to review the construction process will enable to us to identify any potential additional risks and to help advise on the stage-specific CoCP. Should the proposed changes to the S106 Agreement be accepted by the applicant, it is anticipated this matter would be resolved.
SDNPA36	Horizontal Directional Drilling (HDD) – Ancient Woodland and Veteran Trees- **Outcome of EIA**	**Concerns** Insufficient evidence provided to demonstrate 25 metre stand-off & HDD 6 metres underneath ancient woodland ground level will not cause the loss or deterioration of this irreplaceable habitat by damaging roots, damaging or compacting soils, increasing levels of air and light pollution, noise and vibration, changing the water table or drainage, damaging functional habitat connections or affecting the function of the woodland edge. Insufficient	**Concerns** The 6m rooting depth is based on Forestry Commission (2005) 'The influence of soils and species on tree root depth'. This states that it is uncommon for roots to penetrate more than 2m and 80-90% of roosts are found within the top 60cm of the soil profile. It goes on to state that 90 –99% of a tree's total root length is within the upper 1m of soil, and that data from wind throws in the October 1987 storm showed no trees with roots below 3m; only 5% had rooting depths greater than 2m.	**Not Agreed- No Material Impact**	08/07/24	08/07/24: SDNPA confirm this moves from yellow to orange. 30/04/24 – SDNPA comment: *SDNPA will review the latest responses at Deadline 3 on this matter.* 11/03/24 – SDNPA to review Deadline 2 submission

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		evidence is provided to support the conclusion of low frac-out risk. Further, the order limits within this area are unnecessarily large; the Order Limits should be restricted if the applicant is certain they are able to use this technique in this area.	Therefore, the 6m minimum drill depth was chosen to comfortably avoid contact with roots and allow at least 2 to 4m of soil between the roots and path of the drill. The Forestry Commission were directly consulted on this proposed measure and did not object to it during a bilateral meeting with the Applicant. The 25m stand-off is in excess on UK Government guidance on ancient woodland (Natural England and Forestry Commission, 2022) which recommends a minimum buffer of 15m. The additional 10m was added to ensure indirect effects such as run-off and disturbance (noise and light) could be managed. Individual commitments are in place to manage dust, noise, pollutants and light (commitments C-24, C-26, C-76, and C-105 in the Commitments Register **[REP4-057].** The Applicant considers the above approach a sufficient, and precautionary, distance from ancient woodland in light of the range of commitments to be imposed. It is also worth noting that launch / retrieval of the drill on all crossings where ancient woodland or veteran trees are present occurs within agricultural fields, therefore compaction and direct effects on a woodland edge ecotone will not occur. The Order Limits are wider than standard specifically in the most environmentally sensitive locations – such as where there us ancient woodland, in order to ensure the optimal trenchless crossing pathway can be identified and so that any risks to the environment (which the Applicant makes the case are low) are absolutely minimised.			

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA37	Horizontal Directional Drilling (HDD) – Ancient Woodland and Veteran Trees- **Mitigation Measures**	**Desired Actions** Provide further evidence/justification based on relevant case studies and trials, etc	**Actions undertaken** Evidence of case studies provided at Deadline 2. Mitigation measures to manage any risks of trenchless crossings are set out clearly in the COCP. The risk mitigation techniques relevant to trenchless crossings in the Commitments Register **[APP-254]**. are as follows: Construction Pollution Prevention *C-8, C-76 PPPs, C-142, C-149, C-150, C-151, C-153 Operations and Maintenance Plan and PICP, C-167, C-227, C-234 Drilling Fluid Breakout Management, C-235 Pipeline Design for Installation of Horizontal Directional Drilling, C-236, C-241, C-245, C-251 and C-253.General practices for the conservation of sensitive environmental features: C-216, C114* The potential risks of HDD have been considered by the relevant Chapters of the ES and are assessed as **Low**	**Agreed**	30//07/24	30/07/24 The Applicant is pleased that SDNPA welcome the firming up of the mitigation measures. Regarding a related issue that has arisen regarding SDNP's request for a monitoring fund - It is the Applicants position that the monitoring fund agreed as part of the S106 should be used to monitor compliance with the planning obligations secured by the section 106 agreement and steps taken by the Applicant to seek to further the statutory purposes of the South Downs National Park. 08/07/24: A number of changes have been proposed by the ExA to secure the Crossing Schedule as a separate requirement. The firming up of the Commitments Register is also welcomed. As mentioned above, the securing of a Monitoring Fund to enable the SDNPA to review the construction process will enable to us to identify any potential additional risks and to help advise on the stage-specific CoCP. Should the proposed changes to the S106 Agreement be accepted by the applicant, it is anticipated this matter would be resolved.
SDNPA38	Horizontal Directional Drilling (HDD) – Dark Night Skies- **Assessment, Scope and Methodology**	**Concerns** Lack of consideration of effects on Dark Skies in assessment of landscape and visual impact and on sensitive ecological features. Trenchless crossings are in the most vulnerable ecological locations by definition (excepting roads) and are located within a dark skies landscape. As HDD areas will be lit at night during active drilling operations, it is critical that artificial light spill and glare is avoided around	**Concerns** Effects of lighting are considered in Appendix 18.2 Viewpoint Analysis, Volume 4 of the ES **[REP4-033]** and Appendix 18.4 Visual Assessment, Volume 4 of the ES **[APP-170].** Assessment takes a 'worst case' approach to the visibility of lights, as described in the project description, with the assumption that if the landfall site and / or HDD compounds	**Agreed**	25/07/24	31/05/24 – SDNPA noted potential to change from yellow to green depending on updates to OCoCP – Expert to Expert meeting requested to discuss OCoCP 30/04/24 – SDNPA comment: *SDNPA will review the latest details provided at Deadline 3. If these are in line with our most recent conversations NB with further detail and specific wording being*

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
		sensitive features (woodland/scrub/boundary vegetation/hedges/treelines). A standard construction lighting approach set out in the OCCP is not sufficient.	are visible any associated lighting will also be visible regardless of mitigation. The Applicant considers that a detailed lighting assessment of each HDD location is not feasible at this stage of the project. This is because the exact location (allowing for limits of deviation) of the HDD compounds or their size (to some extent determined by the number of circuits) and the type of lighting (many forms of temporary lighting are available and would be specified by the contractors) are not known. Furthermore, time of year and duration of the trenchless crossing (a function of distance, number of circuits and ground conditions etc.) will remain unknown until detailed design.			*provided in the CoCP, this matter may be agreed.* 28/03/24 – Expert to Expert meeting 17/04/24 – Expert to Expert meeting
SDNPA39	Horizontal Directional Drilling (HDD) – Dark Night Skies- **Mitigation Measures**	**Desired Actions** A detailed, bespoke lighting constraints plan must be provided for each HDD area following up to date BCT/ILP Guidance (2023) and suitable mitigation measures demonstrated at determination stage. The impacts must also be properly addressed in the Landscape and Visual Impact Assessment.	Commitment C-105 in the Commitments Register **[REP4-057]** (acknowledging that an updated version of Bat Conservation Trust and Institution of Lighting Professionals guidance (2023) was issued in September 2023)) ensures that suitable steps will be taken in regard to the mitigation of lighting during the detailed design phase. Commitment C-200 in the Commitments Register **[REP4-057]** also advises that, where required, construction lighting would be limited to directional task lighting positioned to minimise impacts to residents and walkers within the South Downs National Park (SDNP) and informed by BS EN 12464-2:2014 Lighting of outdoor workplaces and guidance provided by the CIBSE Society of Light and Lighting, The Bat Conservation Trust and the Institution of	**Agreed**	25/07/24	31/05/24 – SDNPA noted potential to change from yellow to green depending on updates to OCoCP – Expert to Expert meeting requested to discuss OCoCP **Deadline 3:** SDNP lighting technical advice note (TAN) added as a requirement to follow within the OCoCP **[PEPD-033]**.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Lighting Professionals. These commitments are secured. Section 4.5 of the Outline Code of Construction Practice **[REP4-043]** details the way in which construction lighting design will be developed. Further detail will be provided in the stage specific CoCP, which is for the approval of the relevant planning authority. Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2 **[REP4-022]** presents potential effects of temporary and localised lighting for The Arun Valley Ramsar site and Special Protection Area (and constituent Sites of Special Scientific Interest where relevant), The Mens Special Area of Conservation, badger, hazel dormouse, bats, birds (breeding and wintering) and water vole. **Actions undertaken** SDNP lighting technical advice note (TAN) added as a requirement to follow within the OCoCP **[REP4-043]**.			

Table 3-9 Status of discussions related to Historic Environment

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SNDPA40	Impact on Historic Environment- **Assessment, Methodology & Scope**	**Concerns** The risk to areas of known highly significant archaeology have not been appropriately weighted, investigated and assessed through the selection process for the cable corridor or the final assessment of the proposed development. **Desired Actions** Further investigation should be carried out through the examination to identify the risk and impacts	**Concerns** 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]**. The assessment presented in Chapter 25: Historic environment, Volume 2 of the ES **[REP4-024]** is based on a worst-case scenario. The Applicant considers that further investigation would not change the outcome of the assessment.	**Not agreed – Material impact**	11/03/24	30/04/24 – SDNPA comment: *SDNPA consider that if there is going to be no further discussion, this should be changed to red. Whilst it is noted the effect has already been noted as significant in the ES, it is the scale/type/timing of further investigation in combination with the nature/type/significance of the potential archaeological remains that mean even with acknowledgement of the effect, there could still be a material impact.* 11/03/24 – SDNPA noted that survey undertaken prior to determination would affect mitigation and compensation. The Applicant noted that no further survey would be undertaken during the examination period.
SNDPA41	Historic Landscape Character- **Outcome of EIA**	**Concerns** Lack of consideration of historic landscape character in assessment. Likely missing effects cannot be considered to inform appropriate mitigation strategy.	**Concerns** The Applicant notes that the assessment considers that where there is a particular, Historic Landscape Character (HLC), key characteristic, or element / feature, this is included within the LCA assessment. The HLC is part of the data / key characteristics that make up the overall LCA unit, which is then assessed. Reference to the baseline historic landscape character is made in relation to each LCA, as indicated in Tables 18.18-20 of Chapter 18: Landscape and Visual impact, Volume 2 of the ES **[APP-059]**. HLC is identified as a historic environment receptor and assessed within **Chapter 25:**	**Not agreed – Material impact**	31/05/24	31/05/24 – Expert to Expert meeting

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Historic environment, Volume 2 of the ES **[REP4-024]** (updated at deadline 4). The Commitment Register **[REP4-057]** addresses historic landscape which is included as part of the SDNP SQ in Commitment 66 and generally across the scheme in commitment C-81.			
SNDPA42	Impact on Historic Environment- **Mitigation**	The proposed mitigation, as detailed in the Commitment Register, Outline WSI and Requirement 19 of the dDCO, are considered insufficient, given the status of the archaeological potential in the National Park. Further measures to robustly secure the delivery of historic environment commitments is required. Furthermore, within the SDNP, where there is additional requirements to conserve and enhance cultural heritage, the opportunity to contribute and seek to further the Purposes should be secured through part of the financial package within the S106.	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. Commitments C-225 and C-79 in the Commitments **Register [REP4-057]** provide for mitigation through design and archaeological recording. 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 document was updated at Deadline 3 and Deadline 5 to include a protocol which sets out the procedure following the discovery of archaeological remains of high heritage significance (see Appendix B), which is underpinned by commitment C-225. This protocol presents a staged approach, including discovery, assessment, avoidance where possible, and mitigation by record. For each stage, relevant actions, documentation and consultation requirements are outlined. The protocol clearly demonstrates the need to prioritise avoidance. Revisions that respond to stakeholder feedback that have come in through the Examination process were made to C-225 and R19 by the Applicant at D5.	**Agreed**	26/07/24	25/07/24: SDNPA: Following discussion with WSCC, we understand that a compromise has now been reached on the wording of Req 19. On this basis, we agreed this matter has been resolved. 16/7/24 revised C-225 and R19 were provided at D5, which is now available for SDNPA's review 08/07/24: Wording changes to C-225, draft DCO Requirement 19 and the Outline WSI are currently being finalised. If the wording as suggest by WSCC, following discussion with the SDNPA is accepted by the applicant, SDNPA would be satisfied that the risk of harm to nationally significant archaeology will have been significantly reduced. Should the updated wording provided by the SDNPA in respect of the S106 Agreement also be accepted, this matter would be resolved. DL3: SDNPA invited to comment on WSI, which will be finalised during the Examination.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SNDPA43	Historic Landscape Character- **Mitigation Measures and Compensation**	**Desired Actions** Applicant to address in LVIA amendments and updates, including to the Commitments Register. An appropriate mitigation and compensation package should be proposed and secured.	**Actions undertaken** • Update to commitments register [**REP4-057**]. The Applicant's position is that it has applied the mitigation hierarchy to avoid, reduce and then mitigate the impacts of the Proposed Development as far as possible. Whilst the Applicant has identified no harm to Special Quality 6, it is acknowledged that the fund may provide for projects to contribute towards opportunities for improved understanding and enjoyment of cultural heritage within the South Downs National Park arising from the effects of the Proposed Development on areas of archaeological significance. The funds are to be applied to a range of projects to be agreed by a steering committee comprised of (as a minimum) the Applicant and the SDNPA	**Agreed**	26/07/24	SDNPA to review updated Commitment Register – potential to move position from red to green.

Table 3-10 Status of discussions related to Transport

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SNDPA44	Local Highway Network Construction impact- **Outcome of EIA**	**Concerns** The SDNPA has concerns regarding the impact on the local highway network during construction for both the onshore and offshore aspects of development, and the Public Rights of Way Network within the National Park. **Desired Actions** Further clarification is needed in respect of how users of the PRoW network, including the South Downs Way, will be prioritised – particularly between access points A-26 and A-28 should be provided. The A280 (Long Furlong) will be impacted for a prolonged period of time and further clarification is required in order to understand any adverse effects on the National Park.	**Concerns** A detailed assessment of the construction impacts of the Proposed Development on the local highway network is provided in Chapter 23: Transport, Volume 2 of the ES **[APP-064].** The scope and methodology of this assessment was agreed with West Sussex County Council and National Highways during pre-DCO Application stakeholder engagement. The assessment concludes that during the construction phase, when taking account of embedded measures, such as the Outline Construction Traffic Management Plan **[REP4-045]** and Outline Public Rights of Way Management Plan **[REP3-033],** the Proposed Development will not result in significant effects to transport receptors. **Actions undertaken** • Further materials submitted at Deadline 4 for SDNPA consideration. SoCG split into subject areas suggested by SDNPA.	**Not Agreed- Material Impact**	26/07/24	31/05/2024: Applicant has submitted an update to the **Outline Construction Traffic Management Plan** [**REP4-045**] at Deadline 4 for consideration by SDNPA. This included updates to visibility splay requirements for construction access junctions and updates to the proposed traffic management strategy for Kent Street and Michelgrove Lane 30/04/24 – SDNPA comment: *Suggest this is split into the following matters:* • *Effect of construction traffic on National Park* • *Construction accesses (number, visibility splays and associated works)* • *Operational accesses (number, location and associated works)* • *Effect on South Downs Way* *Note – socio-economic effects associated with closure/diversion and experience of users/tourism to be covered under separate topic.* 11/03/24 – Applicant notes WSCC content for road safety audits to be undertaken post consent. 11/03/24 – SDNPA to detail further concerns regarding PRoW within this SoCG. 11/03/24 – SDNPA note that the Transport Chapter does not reference the SDNPA Local Plan.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SNDPA45	Effect on South Downs Way-] **Mitigation Measures and Compensation**	A clear package of mitigation and compensation is required to ensure that the South Downs Way is able to operate as uninhibited as possible, and to enable the SDNPA to deliver projects that will further compensate for any adverse impact on the National Trail through conservation and enhancement.	Disruption to users of the South Downs Way will be managed though the embedded environmental measures contained within the **Outline Public Rights of Way Management Plan [REP3-033].** Section 5 of the **Outline Public Rights of Way Management Plan [REP3-033]** outlines the management measures for impacted Public Rights of Way including: • Temporary closures and diversions; • Managed crossings; • Shared routes; • Inspection and maintenance; • Signage requirements; and • Public Rights of Way sequencing. Section 5.4 of the **Outline Public Rights of Way Management Plan [REP3-033]** also identifies commitments the following commitments by the Applicant to mitigate impacts on the Public Rights of Way network, including the South Downs Way: • C-18: A crossing schedule has been prepared which includes crossing methodology of road, rail, Public Rights of Way and watercourses • C-21: Signage and / or temporary Public Rights of Way / footpath diversions will be provided during construction • C-161: The South Downs Way and the Down Link Public Rights of Way will be managed in a way that minimises any closures or diversions • C-162: Public Rights of Way that cross the onshore cable corridor will be managed or diverted over the shortest distance possible with potential to provide adjacent crossings • C-202: A Public Rights of Way Management Plan will be developed in consultation with West Sussex	**Agreed**	26/07/24	Subject to resolution of proposed amendments to the S106 Agreement, this matter would be agreed. The ongoing development of the Outline Public Rights of Way Management Plan and additional strengthening of Commitments are welcomed. SDNPA will consider relevant submissions being made by the Applicant at Deadline 5.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			County Council for stages of the works. These will be developed in accordance with the Outline PRoWMP and include the stage specific details for managing the use of PRoW during construction These commitments are secured via Requirement 20 of the Draft Development Consent Order.			
SNDPA46	Effect of construction traffic on National Park construction accesses- **Methodology and Assessment**	The effect of construction traffic on the National Park has not been appropriately considered and there remains a misunderstanding of our remit and interest in this area. Chapter 23: Transport, Volume 2 of the ES fails to recognise the South Downs Local Plan 2019, or relevant documents such as Roads in the South Downs. The CTMP is vague and unclear in respect of how movements on key accesses – including those at Long Furlong – will be made and the extent to which additional works would be required to facilitate these (such as additional land for visibility splays or turning).	A detailed assessment of the construction impacts of the Proposed Development on the local highway network is provided in **Chapter 23: Transport, Volume 2** of the ES **[APP-064]** and **Chapter 32: ES Addendum [REP1-006]**. The scope and methodology of this assessment was agreed with West Sussex County Council and National Highways during pre-DCO Application stakeholder engagement. This assessment outlines that during the construction phase, when taking account of embedded measures such as the **Outline Construction Traffic Management Plan** [**REP4-045**] and **Outline Public Rights of Way Management Plan [REP3-033]**, the Proposed Development will result in significant effects at only one location within the SDNP at Michelgrove Lane. These significant effects relate to pedestrian amenity, pedestrian delay and fear and intimidation.	**Not Agreed- Material Impact**	26/07/24	26/07/24: SDNPA: While the applicant has accepted that Michelgrove Lane has significant effects in 6.2.32 - chapter 32 ES addendum - Table 2-27 - GEART assessment for Michelgrove Lane it notes that at peak, there will be a construction vehicle (LGV/HGV/AIL) passing along this road every 10-12 minutes. The pedestrian assessment here, however, notes 'The lack of significant pedestrian desire lines', not taking into account that the road is crossed by a bridleway, a footpath and the Monarchs Way aligns with it before you get to the end and are on their haul road. The supporting documents do not adequately reflect the context. The documents note that HGV flows are 3-4 p/hour for the first 4 weeks, then 2 per hour for 30 weeks (though the peak is 6 weeks of HGVs 4-5 times p/hour) then phase 2 is 10 weeks of 2-3 HGVs p/hour (this is likely where the AIL come in). This is likely to be disruptive to PRoW for an extended period of time, and the section where pedestrians can be expected to them on the road is definitely a point where there would be 'significant effects [related] to pedestrian amenity, pedestrian delay and fear and intimidation'.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
						Additionally, the Vegetation Retention and Removal plan does not show the junction of A-26 or A-28 where we know there will be works to achive visibility splays of 120m inc pollarding. It also still shows the route from Longfurlong Lane/A-27 with hedgrows H579 – H581 still noted. The impact of construction traffic will extend to users of Long Furlong as well – essentially, the traffic impacts identified by WSCC are also our concerns. Further, there are effects within the SDNP as a result of the temporary construction compound at Washington and the proposed HDD accesses adjacent to the A27 at Patching/Poling. Some further clarification has been provided at Deadline 4, which the SDNPA is currently reviewing. It is noted that Road Safety Audits are still awaited.
SNDPA47	Number of accesses, visibility splays and associated works- **Outcome of EIA**	There are a significant number of construction and operational access within the National Park, of which many are focussed in a small area between Long Furlong, Washington and the A283. A-26 and A-28, for example comprise a c.10 kilometre route within the National Park, largely off road. Consideration of the effect this has on the SDNP has not been adequately demonstrated.	The Applicant seeks rights to access necessary to construct and maintain the Proposed Development. As can be inferred from the non-consecutive numbering of accesses, several accesses consulted upon have subsequently been removed during the source of design refinement (such as those at the Vinery) or retained only for operational use (such as Long Furlong). The Applicant does not consider that any further refinement of the number of proposed accesses is possible at this stage. An assessment of impacts of construction accesses on vegetation and tree loss has been completed within the **Construction Access Update Assessment Summary [REP3-055].** This assessment considered swept path analysis and visibility splay	**Not Agreed – no material impact**	08/07/24	08/07/24: Whilst it is noted that further information is provided within the OCTMP, it remains that the effects have not been appropriately considered in the Environmental Statement. 31/05/2024: Applicant has submitted an update to the **Outline Construction Traffic Management Plan** [**REP4-045**] at Deadline 4 for consideration by SDNPA. This included updates to visibility splay requirements for construction access junctions and updates to the proposed traffic management strategy for Kent Street and Michelgrove Lane.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			requirements at access junctions and where necessary proposed temporary speed limits and turning restrictions to minimise the impact on the environment. Where appropriate these measures have been incorporated into the **Outline Construction Traffic Management Plan** [**REP4-045**].			

Table 3-11 Status of discussions related to Noise and Vibration

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SNDPA48	Washington Construction Compound- **Assessment, Scope & Methodology**	**Concerns** The construction compound at Washington, whilst outside of the SDNP is likely to have a prolonged impact on residents of Washington Village, which is located within the SDNP. The main access to the village is opposite the proposed location to the compound and therefore it is anticipated that matters of noise, vibration and increased traffic are all likely to cause harm to the amenity of residents in the village and users of the facilities. **Desired Actions** Clear and robust commitment to improved mitigation for residents and communication with residents throughout the construction period.	A detailed assessment of the construction impacts of the Proposed Development on the local highway network is provided in **Chapter 23: Transport, Volume 2** of the ES **[APP-064]** and **Chapter 32: ES Addendum [REP1-006]**. The scope and methodology of this assessment was agreed with West Sussex County Council and National Highways during pre-DCO Application stakeholder engagement. This assessment outlines that during the construction phase, when taking account of embedded measures such as the **Outline Construction Traffic Management Plan** [**REP4-045**] and **Outline Public Rights of Way Management Plan [REP3-033]**, the Proposed Development will not result in significant effects to transport receptors within Washington. The Applicant has undertaken an assessment of traffic noise and vibration on the A283. Link 17 within Chapter 4 of the Environmental Statement Addendum (Volume 2 Chapter 32 Rev A) [**REP1-006**] applies. The increase in Basic Noise Level from the construction road traffic is 0.0 dB above the baseline, due to the high baseline flows. Similarly additional vibration due to the location of the temporary construction compound entrance is considered by the Applicant to be negligible. The road traffic noise and vibration increases are therefore both negligible, and the Applicant does not consider this element is detrimental to the amenity of residents. The SDNPA have suggested in their Written representations and Local Impact Report that *"It does not appear that an assessment of the noise emanating from the compound itself has been*	**Not agreed non-material impact**	25/07/24	It does not appear that an assessment of the noise emanating from the compound itself has been undertaken and therefore the effect on residents of Washington village is still not fully understood. The volume of traffic that will accessing and egressing from the Washington compound is significant and the access point is almost directly opposite the access to Washington village (The Pike/London Road). Extract from South Downs Written Representations and Local Impact Reports

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			undertaken and therefore the effect on residents of Washington village is still not fully understood." The Applicant does not agree with this position. Noise from construction activity at Washington Temporary Construction Compound (TCC) has been assessed. The assessment is detailed within **Chapter 21: Noise and Vibration, Volume 2** of the Environmental Statement **[PEPD-018].** Noise from the compound is predicted at representative residential and leisure receptors at • Green Farmhouse, The Pike, • Washington Paddocks, London Road, • Tilleys Cottage, The Pike, and, • 3 Settatrees, London Road. Detail of the plant assumptions used in the TCC construction noise assessment are presented in **Table 4.1** and **Table 4.2** of **Appendix 21.2 Construction plant list Volume 2 [PEPD-027]** **Table 21-28** of the noise and vibration chapter shows the results of the assessment at these closest receptors to the TCC. Worst case noise levels are approximately 10 dB below the threshold of significance at all receptors during all phases of operation at the TCC. I.e. there are no predicted significant effects due to noise from the use ot the TCC, Commitment C263 Commitments Register **[REP5-086]** provides for additional noise assessment to be carried out once the Contractors have been appointed and detailed design is progressed. Noise from activities at the Temporary Construction Compound will be covered by a Noise and Vibration Management Plan, which will be supplemented by noise and vibration monitoring. These are secured through Requirement 22 (3) (g) of the draft Development Control Order			

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			An Outline Construction Communication Plan was also issued at Deadline 5 – further clarifying the principles of communication with residents throughout the construction period.			
SNDPA49	Impact from Noise on users and residents of the South Downs National Park – **Outcomes in EIA**	**Concerns** There has been insufficient consideration of visitors and residents of the SDNP in respect of noise and vibration. Within Chapter 21 of the Environmental Statement, the effects on the National Park are reported and concluded on the basis of the National Park as a single receptor, rather than from multiple receptors therein. Whilst the progress of construction will move forward after a matter of weeks, regular users of a single footpath or walking route are likely to experience the effects for a prolonged period as the construction corridor progresses. It is therefore the SDNPA's opinion that the conclusions in respect of the effects of noise and vibration within the National Park have been underestimated. **Desired Action** More robust commitments to mitigate the effects of noise, particularly within the National Park, should be explored.	The Applicant considers that the users of the National Park have been considered, the issue was raised within SDNPA Deadline 4 response to the Examining Authority's Action Points from Issue Specific Hearing 2 (ISH2) [REP4-085]. The Applicant's response is detailed in Applicant's Comments on Deadline 4 Submissions [REP5-122]. Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] assesses the impact of the Washington Temporary Construction Compound which is close to the boundary of the South Downs National Park and is expected to be in place for the duration of construction. This temporary construction compound is located next to the A283, where the tranquillity is relatively low as reflected on the South Downs National Park Tranquillity Study (South Downs National Park Authority, 2017). The noise impact at this location is concluded to be not significant due to the low magnitude of impact, the temporary nature and the existing low tranquillity in this location Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] also assesses presence of the trenchless crossings, including those at	**Not Agreed – Material Impact**	26/07/24	08/07/24: This is a newly added issue for the SoCG and needs the Applicant's response – to come post DL5.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Michelgrove (TC-12) and Sullington Hill (TC-15), are in areas of higher tranquillity near Public Rights of Way and Open Access Land at Sullington Hill and therefore high sensitivity in the assessment. This includes periods of continuous working while crossings are undertaken and it is acknowledged this will temporarily affect tranquillity in these locations. Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] concludes these are not significant effects when the short-term duration of such works is taken into account. Access routes associated with accesses A-26 and A-28 cross the areas of higher tranquillity too and are assigned high sensitivity for noise and vibration. While it is predicted that there will be some impact, the assessment does not identify significant effects at receptors on these routes when considered against the criteria in British Standard (BS) 5228-1:2009 + A1:2014 Code of practice for noise and vibration control on construction and open sites. Part 1: Noise (British Standards Institute, 2014). In addition to the published responses above, the Applicant considers that vehicle pass-bys on haul roads are low impact, due to the very limited duration that users of the National Park would be exposed to noise from such events. The Applicant also considers that impact from the trenching works would not be significant due to the very localised nature of these works that progress at a speed of approximately 35 metres per day.			

Table 3-12 Status of discussions related to Socio-Economics

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA50	Economic and social well being- **Assessment, Scope and Methodology**	**Concerns** SDLP Policy SD34 states that development should promote and protect businesses linked to the National Park's key sectors of farming, forestry and tourism. It is concerned that this has not been adequately addressed through the submission and therefore it is not clear whether the scheme would accord with this policy. **Desired Actions** 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.	The assessment presented in Chapter 17: Socio-economics, Volume 2 of the ES **[APP-058]** does not find a significant effect on tourism. As a result, the Applicant is not required to provide additional measures and commitments that would support a boost to tourism. These 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. 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, confirmed at scoping stage. Methodological issues with the use of ex-ante survey evidence include: • 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. 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 individual locations and at many different points in	**Not Agreed – Non-Material Impact**	08/07/24	Extract from South Downs Written Representations and Local Impact Reports

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			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 influence survey responses and for which it would be difficult to establish the difference an expanded OWF area would make. The Applicant has undertaken primary research in the form of a resident public perception survey undertaken by an independent party. 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 and presented in Chapter 17: Socio-economics, Volume 2 of the ES **[APP-058]**. This does not relate to visitors to the area. 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: 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			

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			issues, but no reference to wind turbines (one person mentioned pylons but not turbines). No visitors in 2,239 responses raised the issue of wind turbines, despite these being a prominent 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. The Applicant does not propose to undertake further survey research. **Actions undertaken** None proposed			

Table 3-13 Status of discussions related to Ground Conditions

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
SDNPA51	Robustness of minerals assessment- **Assessment, Scope and Methodology**	**Concerns** Whilst the SDNPA is the Relevant Planning Authority for these matters, including planning for minerals extraction, we work in partnership with West Sussex County Council on these matters. Parts of the cable route are underlain by minerals, that are safeguarded through the JMLP, notably soft sand aggregate, which is a scarce, safeguarded resource. A Minerals Resource Assessment has not been provided, which would typically be expected upfront in these circumstances. **Desired Actions** A robust minerals resource assessment should be undertaken, that is consistent with WSCC minerals safeguarding 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.	**Concerns** The Applicant and West Sussex County Council (WSCC) held a meeting on 23 April 2024. At this meeting, WSCC acknowledged that, having considered the Applicants response, a full Minerals Resource Assessment would be difficult to achieve and therefore a proportionate response should be provided. It was agreed that more detail can be provided to confirm that safeguarded minerals will not be treated as waste material. WSCC requested confirmation to be provided on the Applicant's position that prior extraction is not feasible and clarity to be provided that minerals would not be considered in the same way as other excavated materials (which are covered by the current procedure within the Outline Code of Construction Practice **[REP4-043]**. If specific measures are required to manage minerals encountered along the cable route, WSCC requested that these be considered separately in the Materials Management Plan (MMP) which will form part of the stage specific Code of Construction Practice (CoCP) [**REP4-043]**. to be provided pursuant to Draft Development Consent Order [**REP4-004**] (updated at Deadline 4) Requirement 22 (4) (d). The Applicant confirmed that a response will be provided at Deadline 4 to provide these clarifications. The explanation of why prior extraction is not considered practicable would be based around the depth of results and the working area that would be available as well as the technical difficulties of minerals extraction in that the area. Further, if any extraction was achievable, it would leave a void that will then need to be refilled.	**Agreed**	26/07/24	25.07/24: SNPDA: Following discussion with WSCC, SDNPA understand that these matters have now been resolved. As the primary concerns aligned with WSCC, we are satisfied that this matter is resolved in respect of the National Park. 25/07/24: The Applicant and WSCC have reached agreement on the robustness of the minerals assessment scope and methodology and the application of National and local policies in relation to Minerals. This should be noted by SDNP. 08/07/24: SDNPA note that WSCC and the Applicant have made further comments on this matter at Deadline 5 and await the resolution of these before commenting further. The Applicant has submitted further responses on this point at deadlines 4 and 5. The Applicant notes to SDNPA that on 23/04/24 – Expert to Expert meeting with WSCC took place covering this point. 31/05/24 – Expert to Expert meeting with SDNPA at which detail of minerals resource discussion with WSCC requested.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			Regarding mitigation procedures, the Applicant confirmed that the Materials Management Plan will identify minerals that may be encountered during the stages of the construction and expected volumes and uses. It will set out the stages of mitigation that will inform the Materials Management Plan, which should address the queries from West Sussex County Council. **Actions undertaken** • The Applicant has submitted further relevant responses on this point in response to WSCC written representations at deadline 4 and ExA Qs at deadline 5.			
SDNPA52	Site sterilisation- **Assessment, Scope and Methodology**	**Concern** Any potential site sterilisation, such as that at Lower Chancton, that adds to further pressure to identify sites for extraction within the SDNP would be of additional concern. **Desired actions** None specified.	Due to the location of the relevant Minerals Safeguarding Areas (MSAs), it is not possible for the onshore cable route to avoid the MSAs. However, the route proposed for the onshore cable has taken the MSAs into account and minimises the extent of impact on the MSAs by running in as direct a line as possible, or for soft sand, running adjacent to the A283 (an existing constraint to extraction). The onshore cable route therefore avoids needless sterilisation as a first principle. Given that the onshore cable route does pass through the MSA in the Lower Chancton area, Paragraph 4.7.129 of the Planning Statement **[APP-036]** states that "with regards to MSA the assessment has found that there will be a significant effect on the soft sand in the construction phase and operation and maintenance phase. In the context of WSCC Joint Mineral Local Plan Policy M9, it is identified that the soft sand MSA cannot be avoided, although the area potentially sterilised in the construction phase and operation and maintenance phase will be a very minor proportion of the overall area. Chapter 24: Ground conditions, Volume 2 of the ES **[APP-065]**	**Agreed**	26/07/24	25.07/24: SDNPA: Following discussion with WSCC, SDNPA understand that these matters have now been resolved. As the primary concerns aligned with WSCC, we are satisfied that this matter is resolved in respect of the National Park. 25/07/24: The Applicant and WSCC have reached agreement on the robustness of the minerals assessment scope and methodology and the application of National and local policies in relation to Minerals. This should be noted by SDNP. 08/07/24: As Above.

Reference Number	Point of Discussion	SDNPA's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			identifies that the area around Lower Chancton is already subject to constraints to minerals extraction; from the proximity to the A283 and the proximity to the buildings at Lower Chancton Farm (including Grade II Listed Buildings and residential properties) and the Sussex Timber company. The proposed route of the onshore cable takes advantage of this by being routed, as far as possible, through these pre-constrained areas. It is also relevant to note that although this location is within the MSA for soft sand it is not the case that there is a 'site' here to sterilise. Whilst Rock Quarry to the north of the A283 in this area has permission and is an active working quarry, the area around Lower Chancton Farm to the south of the A283 has no planning permissions or applications in place for minerals extraction, nor is it allocated as a Proposed Minerals Site in the Joint Minerals Local Plan. Furthermore, the South Downs National Park (SDNP) boundary runs along the A283 in this location so the land at Lower Chancton is itself within SDNP. Given the minor proportion of the overall MSA area being sterilised through to the decommissioning phase and taking into account the existing constraints to extraction and Lower Chancton's National Park location, the Applicant does not consider that the sterilisation that has been identified from the Proposed Development would add any further pressure to extract minerals from within the SDNP beyond that which already exists.			

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Rampion 2 DCO Project Glossary:

1.7 Rampion 2 Application Document Tracker (planninginspectorate.gov.uk)

Examination Library - EN010117-000419-Rampion 2 Exam Library.pdf (planninginspectorate.gov.uk)

Planning Inspectorate Application Area- Rampion 2 Offshore Wind Farm - Project Information (planninginspectorate.gov.uk)

Rampion 2
WIND FARM