



# Principal Areas of Disagreement Statement

Arun District Council

August 2024

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# 1. INTRODUCTION

1.1 This Principal Areas of Disagreement Statement (PADS) by Arun District Council (ADC) sets out the main concerns with regard to Rampion 2 Offshore Wind Farm by ADC. This is an update of the initial PADS submitted to the Examining Authority in November 2023.

1.2 It has been derived from document REP5-090 Statement of Common Ground (SoCG) between the Applicant and ADC. As this is the final PADS, for each of the principal issues raised in the initial PADS, the following is identified in the table below:

- Matter not agreed; or
- Matter agreed.

## 2. SUMMARY OF PRINCIPAL AREAS OF DISAGREEMENT

Number	Principal issue in question	Brief concern held by Arun District Council (to be reported in full in the WR and LIR)	What needs to change, be amended and/or included so as to overcome the disagreement	Likelihood of the concern being addressed during the Examination stage
<b>General</b>				
ADC01	Construction Compound	<p>Concerns regarding the substantial size of Climping Compound covering 6.13ha and limited detailed provided on its use. The draft Development Consent Order (DCO) refers to Work No.10 only as a 'temporary construction compound', although several assessments refer to concrete plant.</p> <p>Concerns that the Environmental Health Department at ADC has not previously been consulted on the proposed final location of Climping Compound.</p>	<p>Whilst we appreciate a degree of flexibility is required, further detail of Climping Compound, including on its use and justification for the substantial size, is sought.</p> <p>A description (comparable detail to other Work No. descriptions) of its use is sought in the draft DCO or another document where there is a commitment to comply with the description.</p>	<p><b>Matter not agreed.</b></p> <p>Whilst a description is now provided in the Construction Code of Practice (REP3-025), ADC remains concerned on the substantial size/location of Climping Compound and potential impacts from associated activities.</p>
ADC02	Mitigation, Monitoring and Compensation	<p>Concerns regarding the lack of commitment and securing mechanism of mitigation, monitoring and compensation. For example, the mitigation set out in the Commitments Register</p>	<p>Firmer commitment to mitigation/compensation and these to be followed through to a securing mechanism.</p> <p>ADC is of the opinion that compensation (e.g. community fund</p>	<p><b>Matter not agreed.</b></p> <p>Some concerns regarding the nature of some of the wording of the commitments but ADC notes the Requirements as a securing mechanism and the commitment by</p>

		<p>refers to where practicable, where feasible, if necessary. Furthermore, some mitigation/compensation such as Supply Chain Plan and the Community Benefits Package do not appear to be defined and followed through to a commitment and/or securing mechanism. In addition, the construction communications plan should include Climping Compound.</p> <p>ADC will incur additional expenditure relating to the discharging of Requirements/associated applications.</p>	<p>such as that for Rampion 1) is required for significant effects that cannot be addressed by embedded mitigation measures, for example, the significant effects on seascape from the Arun coastline.</p> <p>Seek to recover costs associated with discharging Requirements/applications such as S61 applications.</p>	<p>the Applicant to providing a Community Benefits Package, in consultation with ADC, in due course.</p> <p>ADC require agreement with the Applicant to recover costs associated with discharging Requirements and applications, such as S61 applications. The Applicant has suggested this could be secured through an extension of the Planning Performance Agreement to fund enhanced services, however, there has been no further engagement on this to-date.</p> <p>The Applicant has not agreed to cover the costs of noise monitoring, noting that the Applicant has confirmed that the Noise Management Plans would need to be undertaken under consultation with the LPA.</p>
ADC03	Alternatives	<p>Insufficient evidence of reasonable alternative locations (taking account environmental effects) has been given for the temporary construction compound at Climping. Main reasons for the selection of this location next to a residential area</p>	<p>ADC requires further information on the options appraisal to demonstrate consideration of environmental, social and economic effects have been taken into account in the selection process for the onshore corridor route</p>	<p><b>Matter not agreed.</b></p>

		<p>and tourist assets have not been given.</p> <p>During the initial route option process and for the additional land included within the DCO limits at the landfall at Climping during route modification, it is not evident that Climping Site of Special Scientific Interest (SSSI) or the strategic housing allocation were considered as part of the route selection process. Instead, Chapter 3 'Alternatives' of the ES states that one of the key reasons justifying the preferred route was that <i>'statutory ecological designations are largely avoided along the onshore cable route, and none were identified within the onshore cable corridor at this stage'</i>.</p>	<p>at landfall and location of Climping Compound.</p>	
<b>Socio-economics/Economics/Tourism</b>				
ADC04	Outline Skills and Employment Strategy	Concerns that limited detail is given within the Outline Skills and Employment Strategy.	To provide more information on the strategy and benefits for ADC, including linking to apprenticeships and local education institutes in Arun. Objectives need to include support for local SMEs and opportunities for SMEs to access the supply chain. Measures to also be secured through the Outline Code of Construction Practice.	<p><b>Matter agreed.</b></p> <p>It is noted that ADC will be part of the consultation for the next iteration of the OSES. ADC remain of the view that the next iteration of the OSES should provide more information on job/skill opportunities, apprenticeships and local education institutes in Arun.</p>

ADC05	Community Benefits Package	<p>Arun is of the opinion that the District will not significantly benefit from the Project, rather the area will experience disruption and significant adverse effects, some of which are unlikely to be mitigated.</p> <p>Concerns about the mechanism regarding which the Community Benefits Package is secured and the criteria/funds involved as not referenced in the draft DCO.</p>	<p>Further information on a Community Benefits Package.</p> <p>Commitment (and securing mechanism) needs to be made to ADC for this package to compensate and offset adverse effects within the District.</p>	<p><b>Matter agreed.</b></p> <p>ADC acknowledges that the Community Benefits Package is not a legal or DCO requirement but note that it remains important for ADC.</p> <p>ADC note the commitment by the Applicant to provide a Community Benefits Package in consultation with the council.</p>
ADC06	Jobs	<p>Job creation (construction and operation) has not been assessed at the district level within the administrative area of Arun.</p>	<p>Employment effects, including job numbers should be assessed at district level and not just at County level. Employment relates to the Skills and Employment Strategy insofar as the outcomes of the Strategy in terms of developing skills and employment opportunities may influence the spatial distribution of benefits.</p>	<p><b>Matter agreed.</b></p> <p>ADC provided a high-level analysis in the Local Impact Report to estimate the proportion of employment likely to be local in Arun – which is low. It was agreed that no further job estimates would be provided at the local level. However. ADC remain of the view that employment benefits to Arun are limited/weak.</p>
ADC07	Tourism and Tourism Assets	<p>ADC has concerns regarding adverse effects on tourism and tourism assets, including potential displaced tourism from Arun. Arun District is heavily reliant on tourism and the visitor economy so it is particularly sensitive to negative impacts on tourism. Adverse effects on the tourism sector have the potential to have significant negative</p>	<p>Further information is necessary on the effects and mitigation at the local – Arun District – level as the list of tourism assets is not considered complete.</p> <p>Furthermore, mitigation such as <i>‘C-33 An Outline COCP will be adopted to minimise temporary disturbance to residential properties, recreational users and existing land users. It will</i></p>	<p>Operational Impacts: <b>Matter agreed</b></p> <p>Construction Impacts: <b>Matter not agreed.</b></p> <p>ADC remains of the view that adverse in-combination effects on a limited number of local tourism assets are likely during construction, even if this is not considered to be significant at the district level.</p>

		<p>consequences for economic well-being of residents.</p> <p>Chapter 17 of the Environmental Statement (ES) states that regarding construction effects of wind farms <i>'the research typically focusses on measuring opinions of what the impacts on the visitor economy could be prior to implementation of the scheme. However, ex-post research suggests that even where there have been negative effects, these often occur in the form of displaced tourism with visitors diverting to neighbouring areas instead'</i>. Whilst this may be considered a neutral effect at County level, it suggests areas directly affected by construction such as Arun will experience at least temporary adverse effects, even if Sussex overall has a neutral effect. These effects are amplified given Arun's reliance on tourism.</p> <p>Chapter 17 also notes that at the local level <i>'installation activity along the onshore cable corridor may have a negative impact on walking and cycling routes, coastal paths, holiday parks and other tourism-related assets that are located in close proximity to onshore construction works...</i></p>	<p><i>provide details of measures to protect environmental receptors'</i> is not considered actual mitigation as it is an attempt to minimise disruption, which is not to say that significant disruption will not occur. Adverse effects on the tourism and tourism assets will need to be overcome through community compensation notably via the Community Benefits Package. Specific mitigation should be put in place for Climping Compound regarding nearby tourism assets.</p> <p>Consideration should be given to a visitor centre in Arun to act as a tourist attraction and engage visitors with the project as part of the Applicant's mitigation strategy. As part of this, the centre could offer boat trips to the windfarm.</p>	
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		<p><i>the assessment concludes that during the construction phase there would be major / moderate, and therefore significant effects on a limited number of tourist destinations. These locations are Climping Beach, Climping Camp Site, Climping Caravan Park and Washington Caravan Park. Many of these locations are in Arun and there are also other local assets which are omitted which will experience adverse effects. When this is measured at the Sussex the effect is negligible, however, for residents and local businesses in Arun, the effects may be significant and this should be recognised.</i></p> <p>During operation, the Project is considered to have permanent negative visual impacts on the views from a number of locations in Arun, many of which are important visitor/tourist locations. The WTG are considerably larger than those of Rampion 1 and the detrimental impact on the WTGs on seascape in the district is likely to reduce the value and volume of tourism within Arun.</p>		
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ADC08	Strategic Housing Allocation	<p>The cable route transects through a strategic housing allocation (Policy H SP2b, SD4: Littlehampton – West Bank) identified in ADC’s adopted Local Plan. The allocation is for circa 1,000 residential dwellings that will be key to supporting future regeneration of the town and the Littlehampton Economic Growth Area.</p> <p>ADC has significant concerns that the route will sterilise the western part of the allocation and impede the ability to bring forward this site for housing.</p>	<p>Details required on what impact the Project is likely to have on the strategic housing allocation, including any sterilisation of land, and the effect on housing delivery within Arun.</p>	<p><b>Matter not agreed.</b></p> <p>Whilst further clarity has been provided by the Applicant that a covenant would be imposed for no buildings/permanent structures above the cables within a defined corridor (c.25m wide restriction and potentially wider in places, if a direct route cannot be implemented), unless this can be designed as open space, ADC is of the view that this could have a significant impact on deliverability and the allocation coming forward in the future to deliver 1,000 much needed new homes.</p> <p>ADC remains of the opinion that this matter is not agreed and that it will have a material impact, which should be properly considered.</p> <p>It should be noted that the RAG rating colour used for ADC08 in the signed Statement of Common Ground (SoCG) between the parties is wrong. Whilst the wording in the SoCG is correct in stating “Not agreed – material impact”, this should have generated a RAG rating of RED, rather than AMBER, as it is shown in that document.</p>
<b>Seascape, Landscape and Visual</b>				

ADC09	Scale and Extent of Wind Turbine Generators	The spatial extent is greater than Rampion 1 and ADC continues to have significant concerns regarding the scale relative to the proximity to the coastline and the resulting significant visual effects.	We recognise that the spatial extent has been reduced. However, there will still be significant visual effects on the coastline, for example, from Climping Beach and Littlehampton seafront, which are tourist and recreational destinations.  ADC is of the opinion that as no further mitigation is possible, compensation is the only route.	<b>Matter not agreed.</b>  The Applicant does not agree with ADC's position and the Applicant has not considered or engaged in discussions with the council around potential compensation.
ADC10	Construction Compound	Concerns regarding visual effects of the landfill construction compound (Work No.8) and Climping Compound (Work No.10); the latter is substantial in size.	ADC expect the visual effects from viewpoints (to be agreed with ADC) to be assessed.  Seek appropriate landscaping boundary treatments for Climping Compound to be secured and implemented.	<b>Matter agreed.</b>  This matter is agreed insofar as the visual impacts of the temporary construction compound are concerned, however, the points of issue as raised concerning size/location and environmental effects remain (see ADC01 above).
ADC11	Permanent Infrastructure Corridor	Permanent infrastructure corridor width up to 25m (or wider at trenchless crossing locations).	Detail required on the surface treatments within these permanent infrastructure corridors, any requirements for easements in these areas and whether this impacts reinstatement.	<b>Matter agreed.</b>
<b>Terrestrial and Marine Ecology</b>				
ADC12	Climping SSSI	Significant concerns regarding the cable route passing beneath and near to the Climping SSSI and ecological sensitive areas. Nationally scarce invertebrates have been identified on the sand dunes of Climping beach. We	To undertake an invertebrate survey of Climping SSSI.  To provide an assessment of indirect effects to the SSSI.	<b>Matter agreed.</b>

		note access would be restricted in the SSSI and no groundbreaking activity. However, there remains the potential for unplanned events and localised degradation of habitat within the SSSI, which is of a concern.		
ADC13	Terrestrial biodiversity net gain	Biodiversity net gain has not been assessed at the district level ADC. We would expect biodiversity net gain to be achieved within the administrative area of Arun.	To provide biodiversity net gain matrix specifically for the area within Arun.  The maintenance programme will need to align and comply with the requirements of the biodiversity net gain for Nationally Significant Infrastructure Projects, which is expected to come into force in 2025.  Regarding Requirement 14 in the draft DCO (Part 3), ADC request that it is amended so that the biodiversity net gain strategy for stages that relate to areas within Arun is also submitted to and approved by ADC.	<b>Matter agreed.</b>  Confirmation of BNG to be agreed at later stage.
ADC14	Marine biodiversity net gain	To demonstrate marine biodiversity net gain.	ADC expect marine benefits to be achieved and contribution to marine restoration projects such as Help the Kelp.  Consideration should be given to a marine biodiversity net gain assessment.	<b>Matter agreed.</b>  ADC seek the Applicant to continue to explore the establishment of marine benefits with stakeholders and partnerships such as Sussex Bay and the Kelp Recovery Project.
<b>Noise</b>				

ADC15	Potentially detrimental effects of Climping Compound on Land to the west of Church Lane, South of Horsemere Green Lane, Climping (planning ref. CM/48/21/RES, CM/1/17/OUT).	<p>Climping Compound is located adjacent to Land to the west of Church Lane, South of Horsemere Green Lane, Climping. This site has permission for 300 dwellings and therefore has reasonable certainty of coming forwards and there is the potential for new residents whilst Climping Compound is in use. No assessment of the noise effects of these future residents nearest to the compound has been undertaken.</p> <p>Although classified as 'temporary', this compound will be in place for a minimum of 3.5 years with potential for protracted noise detriment.</p>	Provide modelling and assessment of the noise effects on future receptors introduced by the residential development west of Church Lane and adjoining Climping Compound. Location of receptor(s) to be agreed with ADC.	<b>Matter agreed.</b>
ADC16	Noise from Horizontal Directional Drilling (HDD). Section 61 Applications - The Control of Pollution Act 1974	<p>Potential for prolonged exposure of sensitive receptors to noisy drilling and ancillary works 24 hours per day over consecutive, often multiple days.</p> <p>Section 61 applications allow the Applicant to apply for prior consent to extend the agreed hours of (noisy) working for specified purposes to be agreed with the Environmental Health Department at ADC. This is likely to apply in the case of HDD for 24-hour</p>	The Applicant to consider temporary relocation of people affected by 24-hour drilling as a method of mitigation where HDD (or other noisy working) is scheduled to proceed for 24 hours per day for longer than 48 consecutive hours.	<b>Matter agreed.</b> Controls via Section 61 process outside normal working hours.

		consecutive, often multiple days		
ADC17	Determination of Requirement for Mitigation / Section 61 Consents	Chapter 21 of the ES states with respect to construction noise effects that determination of the need for Section 61 consent will be determined by contractor at detailed design stage following review of construction noise assessments, if it is determined that there is 'significant deviation' from initial predictions.	Clarification required on level of competency of contractor to review construction noise predictions.  Quantify what is considered a 'significant deviation' from predicted construction noise levels.	<b>Matter agreed.</b>  Controls via Section 61 process outside normal working hours.
ADC18	Table 21.23 of Chapter 21 of the ES - Construction Noise 'Trigger Values'.	These values replicate the values set out in Table E.2 of British Standard (BS) 5228 in particular for the 0800 – 1800 time period. Proposed construction hours are stated as 0700 – 1900 hours where for the shoulder hours (0700 – 0800 and 1800 – 1900) Table E.2 suggests a trigger value of 70dB LAeq, T.	Confirm that trigger values of to align with lower trigger value as set out in Table E.2 for the proposed construction periods construction Table E.2.  Review/update construction noise assessment against revised criterion.	<b>Matter agreed.</b>
ADC19	Construction Noise Predictions/Assessment outcomes (Tables 21.27 – 21.29)	For some locations that are close to exceeding the 65dB threshold value, the assessment outcome has been increased to reflect potential impact. This has not been done consistently and where there are predicted values that are also close to the threshold	Review construction noise assessment and increase assessment outcomes where they are within 2dB of threshold/trigger values. This will address the inherent uncertainties that are discussed 21.5.10 – 21.5.11.	<b>Matter agreed.</b>

		value, the outcome has not been increased.		
ADC20	Climping Compound	There are insufficient details of the noise modelling inputs for the operation of the construction compound.	Provide noise modelling inputs for the construction compound predictions (such as concrete plant).	<b>Matter agreed.</b>
ADC21	Baseline Monitoring Data	Insufficient baseline for noise sensitive locations in the vicinity of the Climping Compound. Only data for a single location to the south-east of the compound has been presented. This will not accurately characterise existing baseline noise conditions at nearby noise sensitive receptors in particular Climping Village, the caravan park immediately west of the proposed compound, Climping C of E Primary School, Climping Village Hall and play area immediately north of this and glamping at Cuckoo Farm.	Provide additional baseline noise data that is representative of existing sound climate at receptors in the vicinity of Climping Compound.	<b>Matter agreed.</b>
ADC22	Access to cable route west of Benjamin Gray Drive	Potential noise effects of heavy good vehicles (HGV) movements on existing quiet residential road. No data provided to support assumptions.	Evidence required to support assumptions.	<b>Matter agreed.</b>
ADC23	Location of Private Water Supplies	The Environmental Health Department at ADC had not been consulted in this case.	As previously requested, please provide a comprehensive list of private water supplies identified for	<b>Matter agreed.</b>

			further investigation due to their proximity to the Project.	
<b>Historic Environment</b>				
ADC24	Listed buildings, locally listed buildings and Area of Characters.	Listed buildings at No's 45-47 South Terrace, locally listed buildings at 4, 8-95 South Terrace & 16 Granville Road and South Terrace Area of Character.	To provide an assessment for listed buildings at No's 45-47 South Terrace, locally listed buildings at 48-95 South Terrace & 16 Granville Road and South Terrace Area of Character.	<b>Matter agreed.</b>