

**Rampion 2 Offshore Wind Farm (Project Reference: EN010117)**  
**Principal Areas of Disagreement Statement (PADS) – Version ~~2~~1**  
**West Sussex County Council**  
**~~August~~November 202~~4~~3**



## **Introduction**

~~This statement has been prepared by West Sussex County Council (WSCC). WSCC is a host authority for the Rampion 2 Offshore Wind Farm DCO, which was accepted on 20 September 2023 by the Planning Inspectorate for Examination. This document identifies the principal areas of disagreement that remain at the close of the Examination, which commenced on 6 February 2024. Version 2 of this statement removes those areas of principal disagreement that have now been satisfied through either engagement with the Applicant or through the provision of information provided by the Applicant through the Examination.~~

~~The 'likelihood of being addressed during the Examination' column has been removed, as this is no longer relevant. This statement should be read in conjunction with the signed Statement of Common Ground (SoCG) submitted by the Applicant at Deadline 6, to understand how areas of concern have been addressed.~~

~~The likelihood of being addressed during the Examination. Unless a fuller explanation is provided, the following terms have been used in the column headed 'Likelihood of concern being addressed during the Examination':~~

- ~~• **Likely** — where agreement should be possible, or a relatively simple change is required.~~
- ~~• **Uncertain** — where an issue is being, or will be, discussed and WSCC intends to provide an update on the position in due course.~~
- ~~• **Unlikely** — where agreement on an issue is unlikely or it is difficult to identify a solution.~~

Ref	Principal Issue in Question	Concern held	What needs to change/be amended/be included in order to satisfactorily address the concern	Likelihood of concern being addressed during Examination
<b>Assessment of Alternatives</b>				
1.	<del>Evidence of a robust and transparent site selection process for elements of above-ground project infrastructure.</del>	<del>WSCC raises concerns that the site selection process has not been sufficiently demonstrated through the application documentation for the above-ground infrastructure and the areas of continuous construction presence.</del>	<del>Provide further evidence (constraints mapping and RAG assessment) that the onshore substation and construction compound locations have been robustly assessed.</del>	Uncertain

<p>2.</p>	<p>Concern about LACR-01d of the cable route being taken forward as part of the Project.</p>	<p>WSCC <del>remains has a significant</del> concerned about option LACR-01d taken forward by the Applicant. The archaeological sensitivity of this section of the route is exceptionally high. <del>The magnitude of harm to the historic environment within this route section cannot be accurately assessed on the basis of the evidence presented by the applicant.</del></p> <p><del>WSCC notes the points raised by the Applicant in previous submissions, with regard to the non-intrusive survey work undertaken to advance understanding of significance. An agreement on the revised wording of dDCO requirement 19 has been reached with the Applicant and will be submitted by the Applicant at Deadline 6. This, in conjunction with the changes to C-225 and to the OOWSI, have resulted in a meaningful reduction in the magnitude of risk to nationally significant heritage assets within this area of the Order Limits, as preservation in situ will be secured where appropriate and proportionate by the relevant commitments and control documents</del></p> <p><del>Nevertheless, WSCC remains concerned over the scale or harm to archaeological remains in this area, and that the significance of any affected heritage assets is not sufficiently understood due to lack of trial trench evaluation, given the known archaeological context and the unusually</del></p>	<p><del>Evidence that the preference for Option 1d has given sufficient weighting to heritage assets as part of the decision-making process.</del></p> <p><del>Pre-determination trial trench evaluation of this area of the Order Limits, in order to fully understand the archaeological potential, the significance of any affected archaeological remains, the feasibility of options for avoidance by design and engineering solutions (preservation in situ) and the suitability of mitigation measures set out within the OOWSI. WSCC notes that the Applicant has stated they will not be undertaken such work prior to determination.</del></p>	<p><del>Uncertain</del>likely</p>
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		<a href="#">high risk for spatially extensive and nationally significant archaeological remains to be present within this section of the Order Limits.</a>		
Project Description and Construction Detail				
3.	<del>Lack of construction information.</del>	<del>Lack of detail regarding community engagement and construction phasing details, including securing commitment 19, which outlines cable route being constructed in discrete sections to reduce environmental impact.</del>	<del>The Applicant must provide further details on community engagement plans and how construction phasing will be secured.</del>	<del>Uncertain</del>
4.	The detailed design for trenchless crossings (HDD) will be confirmed at the detailed design stage as part of Construction Method Statements (CMS) (APP-255). This leaves significant uncertainty as the potential for impacts.	The OCMS suggests for any changes to trenchless crossings (currently identified as preferred options) confirmation will be provided that there are no new or materially different environmental effects arising compared to those assessed in the ES. However, no methodology as to how this will be assessed/established has been provided.	<a href="#">WSCC would be satisfied if the Applicant had chosen to accept the suggested amendments by the ExA of the inclusion of a DCO Requirement for this matter.</a> <del>The Applicant must provide further details on how this will be secured.</del>	<del>Uncertain</del>
Seascape, Landscape and Visual Impact (SLVIA)				
5.	<del>Lack of nighttime view assessment for West Sussex receptors outside of the International Dark Sky Reserve (IDSR).</del>	<del>Although acknowledged as agreed in the consultation table of the SLVIA chapter, no assessment of nighttime views has been outlined for non IDSR receptors.</del>	<del>The Applicant must provide an assessment of effects upon nighttime views to viewpoints agreed with WSCC.</del>	<del>Likely</del>
6.	<del>Confirmation a worse case Maximum Design Scenario has been assessed.</del>	<del>The Maximum Design Scenario has balanced the number of turbines between both Zone 6 and the western Extension Area. If the dDCO does not secure the location or placement of these, has the worst case been assessed for the receptors of West Sussex.</del>	<del>This requires further demonstration by the Applicant that it is the worst case for receptors in West Sussex.</del>	<del>Likely</del>

7.	Development of further <u>offshore</u> design principles.	Concerns about the layout and extent of offshore wind turbines and the securement of a Project with lesser impacts to receptors in West Sussex.	The <u>Applicant has not provided any further design principles to satisfy WSCC that a lesser impactful design can be achieved through detailed design.</u> <del>Applicant must continue to work with stakeholders to further develop commitments to the layout and extent of turbines, to reduce the significant visual impacts as presented.</del>	<del>Uncertain</del>
<b>Socio-Economics</b>				
8.	Lack of clarity on how the limited local economic impact of the Project during construction is being addressed.	Concerns have been highlighted on the low local economic impact during construction phase. The submission acknowledges consideration of the issue further without clarifying how and when this will occur.	The Applicant <del>should has not</del> clarified what work has been undertaken or is ongoing or planned to address this issue, including any findings or outcomes as relevant.	<del>Uncertain</del>
9.	Concerns about the approach to the methodology	More clarity is requested on aspects of the assessment methodology, including: <ul style="list-style-type: none"> <li>• Selection of Sussex as a receptor area for economy and impact on volume and value of tourism economy;</li> <li>• Uncertainty over population estimates data;</li> <li>• Implications over data limitations across the assessment;</li> <li>• The implications of not considering induced impacts in respect of economic effects are not explained and is unclear as this is not stated as a limitation; and</li> <li>• Reference to Project impacts and construction methods within the description of the baseline.</li> </ul>	The Applicant <del>should has not</del> provided clarifications in respect of these aspects of the assessment methodology so these are clearly understood when the assessment is interpreted. In respect of induced impacts, an assessment of these should be provided. The Applicant should <u>have referreferred</u> to impacts and construction methods used in relation to resources and receptors within the Assessment of Effects, rather than baseline conditions.	<del>Uncertain</del>

10.	Lack of measures and commitments that would support a boost to the tourism sector during operation and maintenance.	No identification of measures and commitments that would support a boost to the tourism sector. There is a lack of assertion within the assessment of potential impacts on the perception of Sussex as a place to visit beyond visitor trend analysis for Brighton and Hove which may be influenced by other unrelated factors.	The tourism sector is a priority in economy plans across Sussex. The Applicant <del>should</del> <u>has not</u> <del>identified</del> measures and commitments that would support a boost to the tourism sector during operation.	<del>Uncertain</del>
11.	Concerns about Outline Skills and Employment Strategy (OSES)	The OSES lacks detail with regards to existing skills gaps and current levels of provision. Baseline data included has no source/year. OSES also lacks detail on potential initiatives which are directly aligned with local specific issues and need. It provides no explanation on whether it would differentiate between the provision and outputs offered through the DCO versus provision and outputs offered in a 'business as usual' scenario. It does not demonstrate net additional benefit.	The Applicant <del>should</del> <u>has not</u> <del>provided</del> an up-to-date baseline with all sources referenced. <u>The Applicant has not</u> <del>provided</del> details of existing skills gaps and current support provision from a skills and employment perspective. Also, <u>the Applicant has not</u> <del>provided</del> further detail on specific initiatives which are tailored to local issues and need.	<del>Uncertain</del>
12.	Opportunities for local business to access the supply chain	The Applicant states they will identify opportunities for companies based or operating in the region to access the supply chain for the Project, and that this is secured through a commitment (C-34) in the OCoCP. This measure, however, is not included within the OCoCP.	The Applicant should provide a firm commitment to this in the OCoCP and outline the mechanism to enable access to the supply chain. The Applicant should clarify what work has been undertaken or is ongoing or planned to address this issue. Further work <u>was</u> <del>is</del> expected in respect of local supply chain expenditure, to increase from that forecasted.	<del>Likely</del>

13.	<del>Community Benefits Package</del>	<del>Reference within the OSES is made to a Community Benefits Package, however it is described as 'remaining separate' from the planning process. Due to the adverse effects identified by the Project, the Community Benefits Package should be a firm commitment and secured through the DCO.</del>	<del>The Applicant should provide a firm commitment to this and secure this approach through the DCO. Engagement with stakeholders on the scope and scale of this Fund should also be developed, including with the local community, as outlined in the OSES.</del>	<del>Uncertain</del>
<b>Landscape and Visual Impact (LVIA)</b>				
14.	<del>Downplays the potential visual and landscape impacts of construction activities, with too strong a reliance on it being short term, and reinstatement being phased/carried out as soon as possible (with reference to Commitments C7 and C19).</del>	<del>Although understood that key excavation/HDD activities may be intermittent and shorter term, visual/landscape construction related impacts (particularly for the cable corridor and any new side accesses) will likely be dominated by haul routes/tracks which may be in place for the entire construction period (dependant on phasing which is not specified/known at this stage).</del>	<del>There is a need to recognise and give greater weight to the potential construction impacts, which is arguably longer term (at 3.5 to 4 years). Details of how C-19 will be secured and the type of information that will be provided on detailed phasing, sequencing of construction activities is required.</del>	<del>Uncertain</del>

<p>15.</p>	<p>Viewpoint locations (and associated visualisations) at Oakendene substation, cable route and compounds are lacking, and/or not representative of worst-case impacts.</p>	<p>The LVIA places a heavy reliance on the specific viewpoint locations assessed, and chosen locations underplay and/or underestimate the magnitude of impacts. Given this will be the only visible permanent onshore structure, a greater number of viewpoint locations is warranted.</p> <p>There is also a need to reconsider viewpoint locations in light of the latest substation footprint/design. It is also not clear how the full extent of visual receptors likely to be affected have been considered — limited commentary provided on how all wider receptors have been assessed.</p>	<p>Further viewpoints should be considered (and visualisations provided where appropriate). E.g. at the substation, this should include Footpath 1787, the A272 looking directly south at newly-created access point, Footpath 1786 south of Oakendene Manor (north of pond), and Footpath 1786 west of industrial estate. There is a need to provide a full assessment/quantification of all landscape visual receptors impacted which will be wide-ranging as indicated by Zones of Theoretical Visibility (ZTVs), and to recognise that selected viewpoints are only indicative of impacts for a limited proportion of receptors affected.</p>	<p>Uncertain</p>
<p>16.</p>	<p>Concerns about the methods, scope and scale of assessment in the Residential Visual Amenity Assessment (RVAA).</p>	<p>The RVAA is not fit for purpose, with an unclear methodology and conclusions drawn which lack objectivity. Recognises that it is possible that other residential properties not included in the RVAA may be significantly affected but has only considered those 'most affected' — Contrary to that suggested this is not consideration of a 'worst case' scenario. Concern about lack of views from upper floors, and not clear how conclusions of RVAA (in terms of the magnitude of visual impacts) has been factored into the LVIA. Impacts on visual receptors underplayed.</p>	<p>Engagement with WSCC is needed on the scope of the RVAA to understand the rationale of all properties potentially affected and rationale for those selected and those omitted. The LVIA needs to consider all visual receptors and consider key findings of RVAA in terms of the potential visual impacts. Review and reconsider the impacts on settlements, with clear definitions and consideration of the findings of the RVAA.</p>	<p>Uncertain</p>



17.	Lack of detail/clarity in the Design and Access Statement.	At present design principles (which it is assumed will be tied to detailed design and 'requirements') are not presented in a clear manner relevant to each topic, or confusingly overlap. No engagement on these principles has been undertaken or clarity on any independent design review. Design elements within the outline landscape plan need securing and further developing.	A clear and consolidated table of design principles should be provided, ordered by topic as relevant, including more site-specific elements. As well as engagement on these principles, with a clear understanding of how independent design review has fed into the process.	Uncertain
<b>Noise and Vibration</b>				
18.	Methodology for identifying receptors unclear/incomplete.	Paragraph 21.4.10 and Figure 21.2 identifies key receptors that have been scoped in for consideration. However, there is limited information on the methodology adopted to establish a 'key' receptor, and or how receptors (e.g. residential properties) were established. There is a concern some receptors have been missed, including PRow.	Provide a clear methodology identifying how receptors have been identified/selected for assessment.	Uncertain
19.	Concern that construction noise impacts have been underplayed.	It is concerning that no significant impacts on any receptors are identified. In coming to these conclusions, considerable reliance has been placed on 'embedded measures', set out in commitments C-10, C-26 and C-263' All to be captured as part of stage specific CoCPs (C-33). The OCoCP suggests that a construction Noise Management Plan (NVMP) will be produced; however, no draft has been provided to date.	There is a need to consider a worst-case scenario, and thus only noise mitigation measures where specified attenuation levels can be confidently established/applied should be considered at this stage. A draft NVMP should be produced.	Uncertain

20.	Concern that noise impacts from construction compounds have been underplayed.	Despite noise level predictions identifying several properties/receptors close to construction compounds that would be significantly above BS5228 thresholds (for medium impacts), conclusions downplay the magnitude of impacts as 'low' based on estimated duration of works (1 month), and/or by switching to a methodology whereby impacts are assessed using average noise levels. The justification/evidence for these conclusions is limited and seemingly predicated on mitigation measures or duration of activities which at this stage cannot be guaranteed.	Ensure a true 'worst case' scenario is considered, and do not rely on measures which remain uncertain at this stage.	Uncertain
21.	Lack of consideration and/or underplay noise impacts of cable route construction and side access routes.	Consideration of impacts of cable route construction and use of side accesses are largely excluded as considered short in duration, despite having the potential to result in noise levels above 75dB at sensitive noise receptor locations.	Need to consider the full extent of all potentially noisy onshore cable route works and recognise that some impacts (e.g. HGVs/Staff/machinery traversing the cable route) may occur for significantly longer periods. Noise contours for cable route should be provided, and all proximate sensitive receptors identified and assessed.	Uncertain

22.	Concern that Oakendene Substation operational noise impacts have been underplayed.	Despite noise level predictions identifying three properties/receptors close to the substation being above background levels by +4 or +5dB (night time) conclusions downplay the magnitude of impacts as 'low' and not significant. As a result, it is concerning that permanent night time noise impacts on these properties are downplayed given their rural location with low background noise levels.	Reconsider weighting applied to noise impacts where over background levels. (noting BS4142 thresholds are 'thresholds' for a medium impact' i.e. above these levels, impacts will be greater). Reconsider noise limit levels set in the DAS, closer to background levels. Provide a greater commitment to the installation of physical noise attenuation measures on substation plant to demonstrate that noise levels will be 'minimised'.	Uncertain
23.	Concerns about lack of detail in the OCoCP	Concerns about a number of matters regarding noise in the OCoCP, including: Reliance on future noise assessments, and trigger points for further mitigation is unclear, lack of detail on how phasing/sequencing will be secured, clarification on communications plan during construction and uncertainty regarding trenchless crossing methods and impacts.	Concerns to be addressed by the Applicant through updates to the relevant control documents, including the OCoCP.	Uncertain
<b>Ecology and Nature Conservation</b>				
24.	Compensation for temporary loss of habitat and landscape features along the cable corridor and at the construction compounds and access routes.	Ecological impacts of temporary habitat loss and inherent risk of poor reinstatement (failure with tree planting, hedgerow 'notching' and other habitat restoration) are greater than assumed.	Additional compensation, such as restoring hedgerows to better condition, advance tree planting and other habitat enhancements. Opportunities for habitat enhancement should be actively sought and included in the stage specific Landscape and Ecology Management Plans (outline version APP 232).	Uncertain

25.	<del>The reliance on off-site compensation and Biodiversity Net Gain (BNG).</del>	<del>Through being delivered off-site, and by a third party, there are concerns that it will not achieve the intended nature conservation benefits, and in the expected timeframe.</del>	<del>Information is required on the details of BNG, such as locations, type and extent of habitat creation/enhancement, timescales, management and monitoring. Detail is also required on the mechanism to secure off-site BNG.</del>	<del>Uncertain</del>
26.	<del>Advance habitat creation, to be implemented before and during the early stages of construction.</del>	<del>There is a lack of information on advance habitat creation (both on-site and off-site), including locations, specifications, timescales and how it will be secured.</del>	<del>Confidence in delivery is required. Information could be presented in the stage-specific Landscape and Ecology Management Plans (LEMPs) and landscape plans.</del>	<del>Likely</del>
<b>Arboriculture</b>				
27.	<del>Incompleteness of Arboricultural Impact Assessment (AIA) and hedgerow survey</del>	<del>Unknown impact/reasoning on arboricultural features.</del>	<del>Include keys on plans for temporary and permanent access points. Set out how and when further tree and hedgerow surveys will be implemented. Justify the removal of: G251 (partial), T609, T611, T613 &amp; T617.</del>	<del>Uncertain</del>
28.	<del>Removal of potential near future veteran trees.</del>	<del>Loss of significant arboricultural features.</del>	<del>Demonstrate tree loss at Oakendene Substation are not detrimental to historical parkland at a local context, and how proposed landscaping compensates for such loss. Safeguard trees T1273 &amp; T1236 from potential removal.</del>	<del>Uncertain</del>
29.	<del>Assessments do not recognise impacts on land allocated for large scale woodland planting.</del>	<del>Loss of potential woodland within the County.</del>	<del>Address how this has been considered along the Oakendene to Bolney substation cable route.</del>	<del>Uncertain</del>

30.	<del>Important hedgerows are not adequately identified across multiple documents and plans.</del>	<del>Removal or damage caused to hedgerows including those determined as 'important'.</del>	<del>The following must be consistent with hedgerow references and survey findings: Schedule 13; Tree Preservation Order and Hedgerow Plan; Hedgerow Survey Report; and Hedgerow Retention and Treeline Retention Plan.</del>	<del>Uncertain</del>
31.	<del>Vague explanation of methodology, aftercare, and assessment of suitable hedgerows/tree lines for the mitigation technique of 'notching'.</del>	<del>Unsuitable methods of notching. Negligent aftercare and commitment to care requirements during movement of hedgerows. Unknow suitability of method for the hedgerows proposed for this technique.</del>	<del>Both the OLEMP and OCoCP should reflect how this will be addressed.</del>	<del>Uncertain</del>
32.	<del>Replacement planting proposed within the AIA not secured within the OLEMP</del>	<del>Essential planting rates stated not being secured as a requirement within the DCO.</del>	<del>Amend the OLEMP to require the replacement planting required as stated within the AIA and include a planting strategy that creates landscape features rather than planting numbers alone.</del>	<del>Uncertain</del>
33.	<del>Lack of enhancement measures proposed for trees, hedgerows or woodland.</del>	<del>Enhancement of existing features were expected as mitigation.</del>	<del>Enhancements of existing retained features should be adopted within the OLEMP.</del>	<del>Uncertain</del>
<b>Traffic and Transport</b>				
34.	<del>Insufficient justification and supporting information for proposed temporary and permanent access arrangements.</del>	<del>Concern about the number temporary accesses particularly onto rural roads and the A283. In various instances, there are two or more accesses in close vicinity (e.g. A01 and A02, and A40 and A41. There is limited information for the accesses themselves. Whilst some design information can be secured through the DCO process and provided as each phase of works progresses, certainty would be required that the accesses indicated are feasible.</del>	<del>The Applicant should seek to reduce the number of accesses or justify the need and purpose for those accesses shown. Provide sufficient information to support and demonstrate the proposed access arrangements are feasible and can be delivered. Agree the extent of information that is required to support the detailed access designs.</del>	<del>Likely</del>

	<u>Insufficient justification and supporting information for proposed temporary and permanent access arrangements.</u>	<u>There is limited information for the accesses themselves. Whilst some design information can be secured through the DCO process and provided as each phase of works progresses, certainty would be required that the accesses indicated are feasible.</u>	<u>Provide sufficient information to support and demonstrate the proposed access arrangements are feasible and can be delivered. Agree the extent of information that is required to support the detailed access designs.</u>	<u>Likely</u>
35.	<del>Mitigation included within the Outline Construction Traffic Management Plan (OCTMP) (APP-228)</del>	<del>Locations are identified as requiring access via single track roads. No mitigation or management measures are detailed. For example, it is unclear how access would be managed on Michelgrove Lane (a single track road) where an open cut trench highway crossing is proposed. The existing wording covering the extent of highway condition surveys within the OCTMP is unclear.</del>	<del>Additional measures would need to be included in the OCTMP to cover these matters.</del>	<del>Likely</del>
<b>Minerals Safeguarding</b>				

36.	Robustness of Minerals Assessment (Chapter 24 of the ES (APP-065))	<p>Concerned that proper consideration has not been given to avoiding needless sterilisation of safeguarded minerals. The assessments focus on current demand for minerals (clay and building stone) rather than on safeguarding minerals for future generations, as intended by national policy. No Mineral Resource Assessment has been provided giving consideration to;</p> <ul style="list-style-type: none"> <li>• a quantitative assessment, setting out potential volumes of material that could be recovered or would be sterilised;</li> <li>• an assessment against the West Sussex Joint Minerals Local Plan safeguarding policy (M9);</li> <li>• consideration of discussion with local mineral operators on making use of any materials recovered; and</li> <li>• severance.</li> </ul>	<p>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.</p>	Uncertain
37.	Mitigation against mineral sterilisation – OCoCP and Materials Management Plan (MMP)	Little information is provided on mineral safeguarding in the OCoCP, therefore it is not clear if the MMP will be fit for purpose, ensuring needless sterilisation is avoided.	The OCoCP should be strengthened, and a clear mechanism put in place to secure prior extraction or to demonstrate that prior extraction is not practicable or environmentally feasible.	Uncertain
<b>Historic Environment</b>				
38.	Risk of significant effects upon the historic environment	Due to the scale of the proposals, significant effects upon the historic environment are inevitable. Given the absence of field evaluation, the presence of nationally significant archaeology has not yet been ruled out.	The risk of harm is a function of the scale of the project but can be partially offset by an agreed scheme of appropriate and proportionate investigation, mitigation, and public outreach.	Unlikely

<p>39.</p>	<p>Risk of harm to nationally significant heritage assets within areas of exceptionally high archaeological potential and significance – Cable corridor section LACR-01d.</p>	<p>Risk of harm to nationally significant heritage assets where the cable corridor intersects with an area of exceptionally high archaeological significance, potential and sensitivity.</p> <p>A multi-period prehistoric landscape characterised by Early Neolithic flint mining features. –Consideration of alternatives appears to give insufficient weighting to this significant historic environment constraint.</p> <p><u>WSCC recognises the Applicant’s efforts to avoid or minimise harm to nationally significant heritage assets in this area. The agreed amendments to C-225 and dDCO Requirement 19 (to be submitted by the applicant at Deadline 6), as well as updates to the OOWSI (see WSCC61) have resulted in a meaningful reduction in the magnitude of risk to nationally significant heritage assets. This is because its preservation in situ will be secured where appropriate and proportionate by the relevant commitments and control documents.</u></p> <p><u>Nevertheless, the Project still carries risk of harm to heritage assets of high and national significance within this area, in the event that they are assessed as not suitable for preservation in situ, or that the range of design and engineering solutions proposed by the Applicant may not be feasible.</u></p>	<p><u>Pre-determination trial trench evaluation should be undertaken within this area of the Order Limits, in order to rule out the presence of nationally significant archaeological remains. This would advance understanding of significance of any affected archaeological remains, the feasibility of options for avoidance by design and engineering solutions (preservation in situ) and the suitability of mitigation measures set out within the OOWSI. WSCC notes that the Applicant has stated they will not be undertaken such work prior to determination.</u></p> <p><del>It cannot currently be demonstrated that mitigation will reduce potential harm to acceptable levels.</del></p>	<p>Unlikely</p>
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		<u>A degree of risk and harm therefore still remains.</u>		
40.	<del>Lack of archaeological field evaluation—Landfall, onshore cable corridor and substations</del>	<del>The application has not been informed by sufficient archaeological or geoarchaeological field evaluation. The significance of the affected heritage assets and impacts of proposals cannot be fully understood on the basis of the available evidence.</del>	<del>An appropriate and proportionate programme of archaeological and geoarchaeological investigation should be undertaken, in line with methodologies set out within the Outline Onshore Written Scheme of Investigation (OOWSI).</del>	<del>Unlikely</del>

<p>41.</p>	<p>Lack of prior archaeological field evaluation within areas of exceptionally high archaeological potential and significance – Cable corridor section LACR-01d</p>	<p><u>WSCC remains concerned over the The absence of any intrusive field evaluation within this area of exceptionally high archaeological potential is wholly unacceptable, indicative of an inconsistent approach to field evaluation of high risk areas. In its absence, there is a reasonably probability of an unacceptably high magnitude of harm to the historic environment.</u></p> <p><u>Agreed revisions to the wording of dDCO requirement 19 has been reached with the Applicant (to be submitted by the Applicant at Deadline 6), combined with changes to C-225 and to the OOWSI, have resulted in a meaningful reduction in the magnitude of risk to nationally significant heritage assets within this area of the Order Limits, as preservation in situ will be secured where appropriate and proportionate by the relevant commitments and control documents. See WSCC54.</u></p> <p><u>However, WSCC’s position on the lack of field evaluation within this area, and the inability to understand their significance and the suitability of proposed mitigation methods, (as set out in earlier comments below) still stands.</u></p>	<p><del>An appropriate and proportionate programme of evaluation should be undertaken within LACR-01d during the Examination, in line with the enhanced methodologies proposed for this area within the OOWSI. This will help identify whether nationally significant archaeology is present within the order limits. Pre-determination trial trench evaluation should be undertaken within this area of the Order Limits, in order to fully understand the archaeological potential, the significance of any affected archaeological remains, the feasibility of options for avoidance by design and engineering solutions (preservation in situ) and the suitability of mitigation measures set out within the OOWSI. WSCC notes that the Applicant has stated they will not be undertaken such work prior to determination.</del></p>	<p>Unlikely</p>
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42.	<del>Issues with some ES assessment methodologies</del>	<del>WSCC disagrees with some aspects of the ES assessment methodology, principally the assessment of significance for high value heritage assets; magnitude of change; assessment of effects of mitigation; substantial vs less than substantial harm and how these equate to the EIA assessment framework; and what constitutes a 'worst case scenario'.</del>	<del>The ES methodology should be updated following discussions with consultees to ensure more appropriate assessment of these areas.</del>	Likely
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<p>43.</p>	<p>Effects of proposals upon grade II listed Oakendene Manor (NHLE 1027074)</p>	<p>WSCC is concerned about the proposed harm to grade II listed Oakendene manor, arising via changes within its setting from construction and operation of Oakendene substation and compounds. <del>WSCC does not consider that there is sufficient evidence to conclusively rule-out substantial harm.</del></p> <p><u>WSCC welcomes the additional viewpoint photography provided by the Applicant, and considers the assessment is now appropriately evidenced. WSCC is now in a position to agree with the overall assessment of a Medium magnitude of adverse change to Oakendene manor.</u></p> <p><u>WSCC disagrees with aspects of the narrative assessment of effects on Oakendene Manor within the ES chapter, which downplay the importance of current key views and the predicted degree of change to these views during and following construction of the substation. This gives a misleading impression of the true magnitude of change to the setting of Oakendene, and the degree to which the ability to appreciate significance will be reduced. Please see WSCC Deadline 5 submission and WSCC’s response to the ExA’s Further Written Question HE 2.1 for further detail.</u></p> <p><u>WSCC also disagrees with the methodology employed for assessing substantial, versus less than substantial</u></p>	<p><del>Embedded mitigations cannot fully offset the identified harm and will be limited by the required functionality of the substation. Identified mitigation (landscaping and design) measures are not yet sufficiently secured by design principles. Options for changes to the indicative layout should be explored, and further details of the design should be provided during the Examination. WSCC requests the Applicant provide an updated, more detailed and nuanced assessment to evidence their conclusion of less than substantial harm. This should be based on the specific impacts of the predicted changes to the asset’s architectural and historic interest and overall significance. And not solely on equating a Medium adverse magnitude of change in EIA terms, to less than substantial harm.</del></p>	<p><del>Unlikely</del><u>Likely</u></p>
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		<a href="#">harm. Please see WSCC Deadline 5 submission and WSCC's response to the ExA's Further Written Question HE 2.1 for further detail.</a>		
44.	<del>Content and wording of the dDCO and Commitments Register</del>	<del>Some of the content and wording of the Commitments Register and dDCO may not robustly secure the delivery of historic environment commitments.</del>	<del>Amend dDCO and Commitments Register in consultation with WSCC.</del>	Likely
45.	<del>Scope and methodology of mitigation measures set out within the OOWSI</del>	<del>The OOWSI sets out overarching archaeological mitigation measures which in general will allow for appropriate and proportionate mitigation, to be secured via the SSWSIs. However, some areas require addressing, including timing, scope and methodologies of mitigation measures; research questions and on securing 'avoidance by micro-siting'.</del>	<del>Ongoing consultation with WSCC and Historic England to address concerns and finalise timing, scope and methodology for trial trench evaluation, fieldwalking and test pit evaluation. Amend the OOWSI accordingly.</del>	Likely
<b>Water Environment</b>				
46.	<del>dDCO does not adequately cover works close to ordinary watercourses which are managed by WSCC as LLFA</del>	<del>Need to ensure the Applicant is aware that any works in, under, over or within eight metres of any ordinary watercourse, which is not a main river, will require consent from the WSCC as the LLFA.</del>	<del>Reference to any works in, under, over or within eight metres of any ordinary watercourse, which is not a main river, will require consent from the WSCC as the LLFA</del>	Likely
47.	<del>Scope of Emergency Response Plan</del>	<del>Surface water flood risk should be considered within any emergency response plan.</del>	<del>Given the local topography of the central cable route, surface water flood risk should be considered within any emergency response plan for this area.</del>	Likely
48.	<del>Groundwater does not appear to have been considered in the Outline Operational Drainage Plan (OODP)</del>	<del>Concerns are raised that the current FRA and proposals for the Oakendene substation do not truly reflect the winter flooding that occurs at this location. This may be because local groundwater conditions have not been considered.</del>	<del>Winter monitoring of groundwater levels should be carried out. For clarity, the existing watercourse around the site should be added to the Indicative SuDS Plan.</del>	Likely

<b>Public Health</b>				
49.	<del>Lack of detail within the Emergency Response Plans</del>	<del>Damage to utilities and impact on communities. Electricity and Water outages have the potential to impact on communities especially the vulnerable and their health and welfare within those communities.</del>	<del>Emergency Response Plans require further detail to require clear instruction and timely actions in the event of damage to existing utilities.</del>	Likely
50.	<del>Engagement with affected communities</del>	<del>The Application does not evidence engagement with the affected communities and how the outcome of those engagements have influenced the Applicant's assumptions and design decisions, including those for the construction stage.</del>	<del>Further evidence should be provided, particularly for communities near the offshore elements, onshore substation and construction compounds. Evidence is needed that local community feedback has driven Project design and any mitigation measures presented to reduce potential effects.</del>	Uncertain
<b>Public Rights of Way (PRoW)</b>				
51.	<del>Concern about temporary diversions of PRoW shown in the Outline Public Rights of Way Management Plan (OPRoWMP), they must be suitable for all lawful users of the path to use.</del>	<del>Some errors made in the status of routes in the crossing schedule of the OPRoWMP that need to be rectified, which will have implications on who has a right to use any alternative route.</del>	<del>Updates to the OPRoWMP should be made, these have been shared with the Applicant.</del>	Likely

52.	<del>Concerns about elements of the OPRoWMP</del>	<p><del>Alternative routes will not be managed by WSCC and must be promoted and managed by the Applicant to make sure they are safe and continue to be so. FP2701 within the Washington Construction Compound. A temporary route is referenced for the duration of Project construction but long closure needs to be suitably mitigated against. The PRoWMP suggests lawful users would wait for vehicles, which is incorrect. Public rights take precedent over private rights, in this case vehicular access, therefore vehicles should give way to lawful path users.</del></p> <p><del>No new structures should be introduced to the PRoW network without prior consent of WSCC's PRoW team.</del></p>	<del>These issues must be addressed within the OPRoWMP.</del>	Likely
<b>Draft Development Consent Order and s106 draft principles</b>				
53.	Concerns about dDCO wording <u>and securement of required mitigation</u>	WSCC have provided <del>initial</del> comments on the dDCO and the Applicant has amended some elements to take account of these comments. Principal areas of disagreement remain in relation to various articles and schedules within the Draft DCO, including wording of some of the Requirements.	<u>To update the DCO based upon the comments made in the Closing Position Statement at Deadline 6.</u> <del>The Applicant to engage in discussions regarding the current dDCO wording.</del>	Uncertain
54.	<del>Role of WSCC in the discharge of Requirements process</del>	<del>Clarity is required on the role of WSCC in the discharge of DCO Requirements, following the role WSCC undertook for Rampion 1 and lessons learnt from this process.</del>	<del>The Applicant to engage with WSCC regarding this matter, including recovery of costs for undertaking this work.</del>	Likely

55.	<del>Concerns about the Section 106 draft principles from the Applicant</del>	<del>The current section 106 draft principles are limited in scope and scale</del>	<del>WSCC and the Applicant to engage in further discussions regarding the 106 to ensure better outcomes for West Sussex.</del>	Uncertain
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Rampion 2 Offshore Wind Farm (Project Reference: EN010117)

Principal Areas of Disagreement Statement – Version ~~21~~

West Sussex County Council

Submitted on ~~1 August 2024~~ 33 November 2023