



PINS ref EN010117
PINS NH registration ID: 20045175
NH ref

Richard Allen
Lead Panel Member
for the Examining Authority
Rampion 2 Offshore Windfarm Project
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6P

National Highways
Bridge House
Walnut Tree Close
Guildford
GU1 4LZ

Email
planningse@nationalhighways.co.uk

6 August 2024

Via E-Mail to:

rampion2@planninginspectorate.gov.uk

Dear Mr Allen,

**Deadline 6 Close - Submissions of National Highways
Application by Rampion Extension Development Limited
for an Order granting Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117**

I refer to National Highways Deadline 6 letter to the Examining Authority dated 1 August confirming National Highways has engaged with the Applicant's various technical advisors but due to staff sickness was unfortunately unable to provide the Examination Authority with an update on the Statement of Common Ground ('SoCG') and Principal Areas of Disagreement (PADs).

The Applicant has now provided to National Highways an updated version of the SoCG which is attached to National Highways submission. However the Examining Authority should note that the colour rating on page 8 and page 9 of the SoCG is incorrect because National Highways do not agree that the Protective Provisions and Need to Safeguard National Highways interests as strategic highway authority should be marked amber as a non material disagreement. This has been confirmed to the Applicant. The Protective Provisions and protection of National Highways interests should both be marked red as a 'not agreed – material impact'.

An updated version of the original PADs is attached at Annex A. Regarding the A27 Hammerpot Compound Access, at the May Examination Hearings, the Applicant agreed to provide a design (including a plan) to National Highways to assist the parties in reaching a satisfactory solution for this access but to date National Highways has not received either a design or plan and the Compound Access therefore remains unresolved.



National Highways continues to remain willing to resolve the outstanding matters and will continue to work with the Applicant and other relevant parties. National Highways is prepared to continue to work with the Applicant after the close of Examination to reach agreement on the Provisions for the Protection of National Highways.

If the Examining Authority require further clarification, please contact Sarah Marshall
[REDACTED] [@nationalhighways.co.uk](mailto:[REDACTED]@nationalhighways.co.uk)

Yours sincerely

[REDACTED]

Sarah Marshall
Head of Planning & Highways Legal Team (South)
Senior Lawyer, Legal Services
Enc.

**Application by Rampion Extension Development Limited
for an Order granting Development for the Rampion 2 Offshore Wind Farm
Planning Inspectorate Reference Number: EN010117**

Principal Areas of Disagreement Statement: Initial PADS as of 6 August 2024

Table 1 – Outstanding Principal Areas of Disagreement (as of 3 November 2023)				6 August 2024 Update	
Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution	Green = Resolved Red = Not Resolved	
Protective Provisions ('PPs')	Protective Provisions not agreed, include land and maintenance funding issues and ongoing NH costs NH not yet confident it is adequately protected from safety and commercial or other liabilities perspectives	Protective Provisions must be agreed and included in the DCO, including land access, commuted lump sum and funding of NH costs	NH regularly apply their standard PPs and would expect the Applicant to agree to NH standard PPs to stand on the face of the DCO with project specific PPs to be negotiated and dealt with through a side agreement (as occurs with other DCOs)	Regarding the Provisions for the Protection of National Highways, these are still not agreed although significant progress has been made. At Deadline 6 National Highways submitted an updated version of the Protective Provisions with tracked changes to the Protective Provisions contained in the draft DCO submitted by the Applicant at Deadline 5. National Highways would request the Examining Authority include these Protective Provisions in the DCO.	
A27 – Applicant's proposals to carry out trenchless drilling at Hammerpot	The Applicant proposes to carry out trenchless drilling under and in the vicinity of the A27 at Hammerpot, Sussex in order to carry the cable. To-date NH has not seen or agree the details of how this will be achieved without adversely and unacceptably affecting the safety, reliability and operational efficiency of the	The Applicant must provide full DMRB compliant plans, methodologies and timings for all works under and close to the A27 for NH approval.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	The required Geotechnical Certificate, dated 12 June 2024, has been signed by Rampion 2 and National Highways. While detailed design and other details will need to be submitted prior to the commencement of the trenchless crossing under the A27 at Hammerpot, they are sufficient to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	

	<p>SRN.</p> <p>Required details would include (but are not limited to)</p> <ol style="list-style-type: none"> 1) Technical specifications 2) Legal framework 3) Any necessary current or future financial considerations 4) Any necessary future maintenance, repair, replacement or withdrawal provisions 				
A27 - the impact of drainage on the SRN where the route passes under the A27 at Hammerpot	The Applicant proposes to carry out trenchless drilling under and in the vicinity of the A27 at Hammerpot, Sussex in order to carry the cable. To-date NH has not seen or agreed evidence demonstrating that the works would not have an unacceptable impact on the drainage of the A27.	The Applicant must provide full DMRB compliant plans, methodologies and timings for all works under and close to the A27 for NH approval.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	The required Geotechnical Certificate, dated 12 June 2024, has been signed by Rampion 2 and National Highways.	While detailed design and other details will need to be submitted prior to the commencement of the trenchless crossing under the A27 at Hammerpot, they are sufficient to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.
Traffic attracted to, generated by or routed or rerouted as a result of the proposals and the potential implications for the SRN	The applicant proposes to route construction and other related traffic to locations (work sites/ compounds etc) via the SRN. To-date, with regards to named junctions or access points, NH has not seen or agreed evidence demonstrating that the works would not have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN. Without this detail there may be doubts as to whether	The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree. The applicant will need to update their DCO	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter.	While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline

	the proposed cable route and works can be progressed in compliance with national planning and transport policy.	submissions and evidence accordingly for the ExA to consider.		Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
The construction, operation or maintenance of a site (construction/ compound/ permanent) associated with the project adjacent to or in close proximity to the SRN and the implications for the SRN	The applicant proposes to make use of sites and compounds with direct or near direct access from the SRN via the SRN. To-date, with regards to named locations, NH has not seen or agreed evidence demonstrating that the use/ works/ any enabling works would not have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN. Without this detail there may be doubts as to whether the proposed cable route and works can be progressed in compliance with national planning and transport policy.	The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree. The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter (A27 Hammerpot Compound Access). As of 6 August 2024, while preliminary design level proposals have been progressed, they are not agreed. Comments have been provided by National Highways with regards the required compliance with the Design Manual for Roads and Bridges. A Road Safety Audit has been progressed but not completed. Rampion 2 have stated they will submit new proposals taking account of all comments received and to be supported by the required WCHAR and RSA. National Highways will review and respond to the proposals. Therefore, as of 6 August 2026 the A27 Hammerpot compound access remains not agreed. National Highways would expect that a safe, technical and buildable solution is possible but without a design or further detail from the Applicant this cannot be guaranteed or deliverable.	
The need to safeguard NH interests with regards to compulsory acquisition	The applicant proposes via the Book of Reference and elsewhere activities, works or consequential provisions that may affect the safety, operation or management of the SRN	The Applicant will need to work with National Highways to submit the required	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter. The most recent Book of Reference submissions from Rampion 2 were received on 26 July 2024.	

<p>proposals or proposals concerning the acquisition of other rights.</p>	<p>and/or the roles and responsibilities of National Highways as the Strategic Highway Authority, asset owner and/or statutory consultee. The applicant needs to fully explain the implications of their proposals in these contexts in order to ensure that they comply with national planning and transport policy, the National Highways Operating Licence and do not usurp or unreasonably fetter National Highways.</p>	<p>evidence for us to assess and agree.</p> <p>The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.</p>		<p>National Highways raised queries the same day but we have not yet received a reply. The query relates to the fact that various plots would be impacted by both the trenchless crossing below the A27 and the creation of the A27 Hammerpot access at ground level. The BoR does not appear to take this into account and hence set out in full what rights or agreements Rampion 2 are now seeking.</p>	
<p>The need to safeguard NH interests as the Strategic Highway Authority via the DCO, Protective Provisions, Requirements or other appropriate or relevant legal agreements</p>	<p>The applicant proposes via the Book of Reference and elsewhere activities, works or consequential provisions that may affect the safety, operation, management of the SRBN and/or the roles and responsibilities of National Highways as the Strategic Highway Authority, asset owner and/or statutory consultee. The applicant needs to fully explain the implications of their proposals in these contexts in order to ensure that they comply with national planning and transport policy, the National Highways Operating Licence and do not usurp or unreasonably fetter National Highways.</p>	<p>The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree.</p> <p>The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.</p>	<p>We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.</p>	<p>National Highways have engaged with Rampion 2 on this matter.</p> <p>National Highways and Rampion 2 are not agreed with regards the approach to be taken to secure works required by Rampion 2.</p> <p>With regards the trenchless crossing, National Highways have made representations that this activity should be dealt with via the New Roads and Street Works Act 1991 as the Applicant is a statutory undertaker. National Highways Protective Provisions would also ensure the interests of National Highways as strategic highway authority is protected.</p>	
<p>APP-064 6.2.23 Environmental Statement - Volume 2 Chapter</p>	<p>We have no comments as such on this high-level document.</p> <p>However, as explained via our</p>	<p>The Applicant will need to work with National Highways to</p>	<p>We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the</p>	<p>National Highways have engaged with Rampion 2 on this matter.</p> <p>While National Highways will need to</p>	

<p>23 Transport (plus AAP107-APP110 comprising appendices thereto)</p>	<p>RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.</p>	<p>submit the required evidence for us to assess and agree.</p> <p>The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.</p>	<p>required evidence and details.</p>	<p>be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.</p>	
<p>APP-173 6.4.19.1 Environmental Statement - Volume 4 Appendix 19.1 Full results of construction road traffic modelling</p>	<p>We have no comments as such on this high-level document.</p> <p>However, as explained via our RR, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.</p>	<p>The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree.</p> <p>The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.</p>	<p>We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.</p>	<p>National Highways have engaged with Rampion 2 on this matter.</p> <p>While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.</p>	
<p>APP-174 6.4.19.2 Environmental Statement - Volume 4 Appendix 19.2 Full results of</p>	<p>We have no comments as such on this high-level document.</p> <p>However, as explained via our RR, we have concerns that the Applicant's current</p>	<p>The Applicant will need to work with National Highways to submit the required</p>	<p>We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.</p>	<p>National Highways have engaged with Rampion 2 on this matter.</p> <p>While National Highways will need to be consulted on the detailed versions of the relevant documents to be</p>	

construction plant modelling	submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.	evidence for us to assess and agree. The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.		submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
APP-196 6.4.23.1 Environmental Statement - Volume 4 Appendix 23.1 Abnormal Indivisible Loads assessment	We have no comments as such on this high-level document. However, as explained via our RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.	The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree. The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter. While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
APP-197 6.4.23.2 Environmental Statement - Volume 4 Appendix 23.2 Traffic Generation Technical Note	We have no comments as such on this high-level document. However, as explained via our RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate	The Applicant will need to work with National Highways to submit the required evidence for us to assess and	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter. While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and	

	that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.	agree. The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.		text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
APP-224 7.2 Outline Code of Construction Practice	We have no comments as such on this high-level document. However, as explained via our RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.	The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree. The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter. While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
APP-228 7.6 Outline Construction Traffic Management Plan	We have no comments as such on this high-level document. However, as explained via our RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the	The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree.	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	National Highways have engaged with Rampion 2 on this matter. While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for	

	safety, reliability and or operation of the SRN as required by national planning and transport policy.	The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.		example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.	
APP-229 7.7 Outline Construction Workforce Travel Plan	<p>We have no comments as such on this high-level document.</p> <p>However, as explained via our RRs, we have concerns that the Applicant's current submissions do not contain sufficient detail to demonstrate that the proposals will not unacceptably impact on the safety, reliability and or operation of the SRN as required by national planning and transport policy.</p>	<p>The Applicant will need to work with National Highways to submit the required evidence for us to assess and agree.</p> <p>The applicant will need to update their DCO submissions and evidence accordingly for the ExA to consider.</p>	We see no reason why the outstanding concerns and requirements cannot be resolved via the Applicant providing the required evidence and details.	<p>National Highways have engaged with Rampion 2 on this matter.</p> <p>While National Highways will need to be consulted on the detailed versions of the relevant documents to be submitted in due course, we are now satisfied that sufficient evidence and text has been included in the latest Rampion 2 outline documents (for example Outline Code of Construction Practice, Outline Construction Traffic Management Plan and Outline Construction Workforce Travel Plan) to facilitate the consent of the Rampion 2 DCO in this respect from our perspective.</p>	

Table 2 - Resolved Principal Areas of Disagreement (as of 3/11/2023)			
Area of Concern	Explanation	Remedy Measures	Likelihood of Resolution
Policy C1/22 ('C1/22')	DfT C1/22 <i>Strategic road network and the delivery of sustainable development</i> was published in December 2022. All developments are now required to comply with its provisions unless material considerations indicate otherwise	The final Travel Plans will be able to reflect C1/22 requirements. But given that the main transport effects are temporary and during construction period, NH is satisfied that sufficient is being done by the Applicant to ensure compliance with C1/22.	Resolved

