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To: [Rampion2](#)
Cc: [The Littlehampton Society](#); [East Beach](#); [NI Enquiries](#)
Subject: Rampion 2 Case - Adequacy of Pre-Application Consultations (AoC)
Date: 13 August 2023 11:51:23
Attachments: [Littlehampton Community AoC Submission to PINS - Rampion 2 Case - Aug 12 2023.pdf](#)
[Proposed Conditions of Acceptance- Rampion 2 Case - Aug 12 2023.pdf](#)
[Full Littlehampton Community AoC on Rampion 2 Case.pdf](#)

Emily Davies
Rampion 2 Case Manager
Planning Inspectorate

12 August 2023

Subject: Rampion 2 Case - Adequacy of Pre-Application Consultations (AoC)

Dear Rampion 2 Team,

We draw your attention to the adequacy of consultation (AoC) concerns on the proposed Rampion 2 Development that members of interested and affected community organisations in the Littlehampton area have shared with the Applicant and Interested Parties.

We have asked our local authority Arun District Council (ADC) to consider and reference our community input in their statutory AoC response to the Planning Inspectorate (PINS). We made a similar request to West Sussex County Council (WSSCC) and informed our Town Council.

Our full AoC submission with detailed evidence originally prepared in January 2023 when the Rampion 2 Application was imminent is attached as a PDF. It comprehensively documents the Statement of Community Consultation (SoCC) and other AoC failings that our community and others witnessed over the past 3-years, since the first informal on-line consultation early in 2020.

We have followed the protocol in relevant PINS Advisory Notes and FAQ guidance to take up consultation concerns first with the Applicant directly; then local authorities and Councils; and finally PINS - if inadequacies we flagged were not sufficiently acknowledged or resolved.

Based on what we witnessed and have documented in the attached, our collective view is that the Applicant demonstrably failed to achieve pre-application consultation aims and standards as set out in PINS Advisory Notes and prescribed in the Planning Act. It did not meet the prescribed Adequacy tests.

And while we appreciate the Applicant faced challenges with COVID restrictions during the initial pre-application period, for a £3+ billion project of this sheer scale, significance of impact and transformative nature, those aspects of the Applicant-run consultations that are clearly inadequate need to be meaningfully addressed in advance of the Examination.

As is noted consistently in the PINS Advice Notes, *“The importance of consultation during the Pre-application stage cannot be overemphasised, given the ‘front loaded’ approach established by the PA (2008)”*.

Conditional Acceptance: a principled way forward?

We have proposed to our Councils that if the Rampion 2 scheme is to be passed on to Examination, despite the documented SoCC and other AoC failings (major and minor) - it should be a **conditional acceptance only**.

As you are aware, the use of planning conditions is an embedded principle and mechanism in UK planning practice. ^[1] We argue the Rampion 2 case meets all the tests for use of conditional acceptance or conditional approval to proceed to Examination in this case.

Thus if this Application is to be accepted, we believe it is fair, reasonable and practical to have the Applicant address outstanding AoC failings during the pre-Examination stage as the Applicant prepares for the Examination. We understand the pre-Examination stage has no fixed time frame, though it is typically 3-4 months, which should be more than ample time to satisfy the conditions we have suggested, or where there is a 6-week clock.

Interested and affected local residents and community organisations could support that approach **provided the conditions are sufficient** and also provided there is reasonable time where people can still register as Interested Parties (IPs) to make a Relevant Representation. That would be after the conditional acceptance terms have been met to the satisfaction of PINS and the outcome advertised in the community and to stakeholders.

We also take relevant PINS FAQs into account that explain the metrics and tests that PINS lawfully applies when considering an Application for Acceptance, as well as the Government's stated ambition to speed up the DCO process for energy infrastructure.

Moreover, it materially reflects and respects the call by the Parliamentary Committee on Climate Change (PCCC) for urgent reform of the NSIP (Energy) consenting process; namely:

“a number of processes – including planning, consenting and connections – must be urgently reformed to deploy infrastructure at sufficient speed to deliver the required range of system components by 2035.” (PCCC, “Delivering a Reliable Decarbonised Power System”, 9 March 2023, <https://www.theccc.org.uk/publication/delivering-a-reliable-decarbonised-power-system/>)

We believe this is a common-sense way and opportunity to lift the quality of the Rampion 2 pre-application consultations to an adequate level and reduce exposure to a potential Judicial Review. It is in everyone's best interest.

It reduces uncertainty for the Applicant.

More broadly, it will serve to improve the increasingly strained local community and wider public confidence in the DCO process, amid rapidly escalating concerns on how the UK's NetZero ambition is delivered.

Six specific actions the Applicant may be asked to undertake to address the known AoC failings during the pre-Examination period that we suggested to ADC and WSCC are included as a separate 1-page PDF attachment to this email. There may be other conditions that other stakeholders offer or will identify if asked by PINS.

For your convenience and for sharing at our end, we also attach this email in PDF form along with two Supplemental Notes that offer additional relevant argument for the use of planning conditions, if PINS is inclined to accept the Rampion 2 case for Examination.

Those additional concerns include:

- The need to rebalance seriously one-sided Pre-Application messaging from the Applicant where they lacked credible evidence, which together with consultation practices not fully respecting the SoCC terms – had the effect of discouraging informed objections to the proposed development.
- The lack of respect for the prescribed use of the ‘Rochdale Envelope’ as the basis for pre-application consultation and statutory comment on the likely extent and significance of impacts. The preferred development (the offshore component) that the Applicant announced in early 2023 in fact steps outside the “worst case” envelope that was formally consulted - yet the Applicant claimed otherwise (as explained in Supplemental Note 1).
- Information from community interactions with local authorities and councils on the limiting and limited extent of their involvement in pre-application responses.
- The “chilling effect” of the combination of SoCC violations (minor and major) and claims about the benefit-risk tradeoffs of the proposed development that were tactically delivered in virtual /digital only consultations, in virtual briefings to Councils at all levels (including the Community Project Liaison Groups in 2023) and in media statements - where such claims could pass uncontested but still have a significant influence– regardless of their credibility.
- All together, our experience was that the consultation inadequacies had the effect of limiting and discouraging informed objections to the Applicant’s proposal, as well as discouraging informed consultation responses that may otherwise have helped to improve the Applicant’s proposal based on local knowledge and views.
- That pushes against the stated objectives of pre-application consultations for major infrastructure as set out in PINS Advice Notes and the Planning Act (2008, revised) as we reference in the Supplemental Information Note 1 in the attached.

Overall, our experience was that the consultation unduly limited local voice, not only in the pre-application stage as noted, but it also discouraged many in our community from even thinking about registering in future as Interested Parties to participate in the Examination – Essentially why bother?

We thus argue for taking reasonable, proactive steps during the pre-Examination to remedy the documented consultation inadequacies and to inform stakeholders of the outcome of those remedial actions.

As a principled way forward we hope authorities give substantive weight to this and similar evidence in reaching Acceptance stage decisions on the Rampion 2 case.

With regards and respect,

Lawrence Haas and Faye Christensen
Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>
The Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>
Affiliated with Protect Coastal Sussex (PCS) <https://www.protectcoastalsussex.org/about>
Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers of the above mentioned organisations.

For convenience we attach this email to PINS in PDF form.
Attachments to the PDF version of our email to PINS include:

- Supplemental Information Note (1)
On the rationale and merits for planning conditions in the Rampion 2 Case
- Supplemental Information Note (2)
Following PINS Advice on Protocols to raise pre-application consultation concerns
- Recent email from as correspondence chain with local authorities on AoC concerns

[1] <https://www.gov.uk/guidance/use-of-planning-conditions>

Representation To Arun District and West Sussex County Councils

Adequacy of Pre-Application Consultations (AoC) on the Rampion 2 Windfarm Development Consent Order (DCO) Proposal

By Littlehampton area Community Organisations and Residents

January 2023

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1. Context and Summary

Statutory consultations on this controversial proposal to transform the ecologically sensitive Sussex Bay inshore into an industrial power park, against the Government's strategic environmental advice on locating wind turbines to avoid local harms and preserve highly valued seascapes and marine habitat, were conducted by the developer RWE from 14 Jan 2021 to 29 Nov 2022; namely:

1. The initial informal non-statutory consultation on the developer's website **14 Jan - 11 Feb, 2021** when a few in our community first noticed that something was proposed for a 1,200 MW development on the seabed of the Sussex Bay inshore, but were essentially told not to worry. It was a simple extension to the existing 400 MW Rampion windfarm installation.¹
2. The first statutory consultation on the Preliminary Environment Information Report or PEIR for the offshore and onshore elements that RWE conducted **14 July - 16 Sept, 2021** choosing a virtual-only mode, even though COVID-19 restrictions had already been lifted by that time.
3. The statutory consultation re-opened **7 Feb - 11 Apr, 2022** to address inadequacies that Residents exposed in the previous consultation round, still open to all residents and the public, yet again only held virtually, where the original PEIR and SoCC was unchanged, and
4. The third statutory consultation **18 Oct- 29 Nov, 2022** accompanied by a PEIR Supplementary Information Report (SIR) where the developer proposed modifications to the onshore part of the original PEIR Assessment Boundary.

At the same time (18 Oct 2022) RWE announced that it had fixed its commercial preference for the offshore component pending its Development Consent Order (DCO) application expected early 2023 (now up to 90 turbines up to 325m tall, with hundreds of miles of cables cut into the seabed and tower structures erected in arrays starting 8 miles from shore and occupying the full seascape horizon now enjoyed by many residents and visitors).

A key aspect of developer-led consultations under the National Strategic Infrastructure Planning or NSIP process is the Statement of Community Consultation (SoCC) in which the developer commits to how it will conduct local community and wider public consultations. **Failure to implement the SoCC** is one basis for the Planning Inspectorate (PINS) managing the DCO process to declare the consultations inadequate, where PINS may either reject the Application outright or specify necessary actions required of the developer to fix the consultation inadequacies.

Due to what was witnessed by residents during and after the first informal consultation, even before COVID-19 lockdowns and related meeting restrictions compromised any chance of effective community engagement, Littlehampton CSOs asked the developer, local Councils and PINS as the regulator to delay the statutory consultation phase until uncompromised modes of community consultation were again possible and lockdowns were lifted.

This was to avoid forcing "host" communities to accept sub-standard consultations which fell far short of relevant PINS guidance and on-line FAQs,² also considering that these NSIP consultations are front-loaded into the pre-application stage. That pause would provide the developer with more considered and informed responses to refine and improve its proposal. What Littlehampton residents and civil society organisations (CSOs) saw as a common sense, reasonable ask was rejected by the developer outright and subsequently by PINS.³

¹ While in lockdown telephone and email exchanges revealed few Littlehampton residents and CSO members were aware of the Rampion 2 proposal, let alone the scope, scale and likely significance of impacts.

² Planning Act 2008: Guidance on the pre-application process; March 2015, Department for Communities and Local Government. The Littlehampton experience and recommendations on improving consultation procedures is documented in a Representation to MCHLD as advised by the Planning Inspectorate (Attachment A4, Item 6).

³ See S51 Advice: Ref: EN010117, 23 April 2021.

<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/rampion-2-offshore-wind->

Littlehampton CSOs then offered input on how we wanted to be consulted to develop an informed view of the proposed development. That was via representations to ADC and WSCC (i.e., to consider in the Council's statutory conversations on the content of the developer's SoCC).⁴ As part of that SoCC input Littlehampton CSOs offered to take proactive steps to help raise awareness of the developer's proposal within their memberships, the wider community, and via engaging with other CSOs along the coast who sought to contact their own Parish and Town Councils.

We felt those steps were both practical and necessary given the unprecedented constraints lockdowns imposed and given the isolation, where even contact with Councillors and Councils to ask what was going on proved challenging at that time, let alone getting together with other residents to share information and ideas to inform thinking and thus their responses to the developer's proposals as individuals, as CSOs and through our elected representatives at all levels.

It was also important to prepare to quickly pivot back to normal face-to-face conversations when COVID-19 restrictions were lifted – as they were, before the first statutory consultation round 14 July / 16 Sept 2021. This took into account the time-bounded nature of DCO consultations and the fact that everyone's attention was diverted with COVID – meaning less scrutiny of the developer's emerging proposals and less opportunity to respond adequately, as would normally be the case.

Underpinning these steps, Littlehampton CSOs who pro-actively embrace and support the Localism Act (2011) and advocated ethical values of local stewardship of natural resources, felt a collective responsibility to help boost local awareness of the proposed permanent transformation of the environment and character of the place where we live, play and work. That would better inform conversations within the local community that were clearly missing and at risk in the straight-jacket of a commercial developer controlled virtual-only consultation, one not envisaged in any Govt Advisory Guidance on how to conduct pre-application consultations or the safeguards.

The local view on reducing AoC risks is explained in correspondence in Attachment A4, Item 5 and captured in our request for Advice in the statutory S51 section on the PINS website, where CSOs asked to delay statutory consultations, and if not, offered Community input to the SoCC. The nature of the community-led actions that followed and outcomes are documented in Attachments B2 and B3 herein (i.e., Summary and Main Reports on the Littlehampton Community-led Public Meeting, 24th Aug 2021) offered to the developer as a comprehensive statutory consultation response.⁵

Littlehampton CSOs came to interpret the reluctance of the developer to then participate in the open community-led meeting (until the very last moment) and related behaviours, as reluctance to surrender the advantages the developer gained by advancing its narrative on Rampion 2 with less public scrutiny and challenge in virtual-only consultations; again as not envisaged when the Government established the DCO process with front-ended consultations only.

Five months later in Jan 2022 just before RWE was to submit its DCO Application⁶ Littlehampton CSOs prepared a comprehensive AoC Representation for ADC and WSCC. That was offered in an Open Letter (3 Feb 2022) with supporting evidence in annexes (Attachment B1) shared with the developer and members of the developer-led Project Liaison Group (PLG), and subsequently with PINS. It elaborated six categories of inadequacy that many residents of Littlehampton and other communities had experienced first hand with a mounting degree of frustration.

[farm/?ipcsection=advice&ipcadvic=b4e233abb2](https://www.pins.gov.uk/farm/?ipcsection=advice&ipcadvic=b4e233abb2) And see Attachment A4, correspondence Item 3. While accepting the PINS ruling 23 April 2021 we did not agree with reasons given (PINS correspondence, in the above link) which did not differentiate between different planning activities or circumstances (Attachment A4, Item 6); Littlehampton CSOs argued that relying on virtual-only approaches on the reopened consultations 7 Feb 2022 was a breach of the SoCC given Government restrictions on social distancing were lifted.

⁴ [The Planning Act 2008 \(as amended\) Pre-application procedure: Section 47 – Community Consultation Frequently Asked Questions \(FAQ\) | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/frequently-asked-questions/)

⁵ As in the request for S51 Advice in the previous footnote, "Community input to the Statement of Community Consultation (SoCC) Proposed Rampion Windfarm Extension: Pre-Application Stage. See also Attachment B2.

⁶ Presently the PINS website indicates an application in Q3 2022, though RWE now says Q1 2023.

On 7 February 2022, RWE suddenly reopened the statutory consultations to “throw its hands in the air” admitting to one specific SoCC error; that being their failure to directly contact all households and properties along the coast within 100m of the shore by mailed information leaflets to help make them aware of RWE’s consultation and invite responses.

Other consultation inadequacies had been flagged by community organisations and Parish Councils along the south coast in their contacts with the developer during and after the first consultation closed mid-Sept 2021, including area MPs who engaged with RWE (as documented in Attachment B1, The Open Letter attachments 1 and 2; and Attachment B2 in its own Attachment 2). Those concerns may also have been the subject of other AoC Representations that ADC and WSCC received.

In this updated AoC Representation covering 2021 & 2022

Sections 2 and 3 illustrate the AoC challenges Littlehampton CSOs and others along the Sussex coast experienced in the reopened consultations in 2022 on top of those documented for 2021.

Attachments provide supporting argument and evidence for Sections 2 and 3, including:

- **PART A - Attachments** that offer relevant correspondence with Councils at all levels, PINS and the Department of Business Energy and Industrial Strategy or BEIS; and
- **PART B - Attachments** that offer relevant documentation previously shared but also included here to be comprehensive; as we understand the Rampion 2 PINS Team may have changed in the past year. Councillors at all levels may also have changed, or have different roles.

Section 4 concludes that if the Planning Inspectorate does accept a Rampion 2 Application for Examination, then one way forward to balance concerns and improve public confidence in the DCO process and outcome would be a “condition based” Acceptance, as suggested in Section 4.

By that we mean conditions requiring the developer to correct the more serious AoC concerns during the 3-4 month pre-Examination (after Acceptance) in parallel with their preparations for the Examination. Otherwise, PINS may also consider ways to ensure appropriate flexibility for Interested Parties to raise relevant issues in Examination Representations, as the Examining Authority (ExA) may agree, that flow from the documented inadequacies of pre-application consultations.

If and when an Application is submitted this AoC Representation will also be offered to the Rampion 2 Team at PINS. We very much appreciate Councils have in past taken up our AoC concerns with the developer directly. It was encouraging also that PINS FAQ advice to individuals and organisations commenting on a developer’s pre-application consultation is that, in addition to raising concerns with the developer and informing Councils of their concerns:

“If you are still not satisfied (with how the developer conducted the consultation), make your comments to the Secretary of State through the Planning Inspectorate. If an application is submitted, we can consider those comments in addition to the statutorily required Acceptance tests when making the decision about whether or not to accept the application.”⁷

Littlehampton CSOs recognise the merits of a DCO application are not considered at the Acceptance stage. They also appreciate the strong emotive issues this wind turbine DCO application raises, given its unique scale, spread and proximity (the largest of its kind proposed for UK inshore waters off a populous and vibrant tourism coast), and how local communities can be divided depending on what information is offered and how it is presented in consultations.

⁷ <https://infrastructure.planninginspectorate.gov.uk/application-process/frequently-asked-questions/section-47-faq/#7>. FAQ 2 Table in Item 2: Commenting on an applicant’s Pre-application consultation.

They understand the subjective nature of the call on what constitutes an “adequate” NSIP consultation where PINS must decide whether or not to accept this application, going beyond the prescribed tests for a consultation conducted in an unprecedented restrictive situation.

CSOs are also acutely aware of the multiple disconnects, confusions and pre-conceived notions as well as ideological positions in play, where for example:

- Some residents and Councillors will generally and strongly welcome any proposal to install more wind turbines across the Sussex Bay without hesitation, regardless of:
 - i) Whether they had the opportunity and time to read the PEIR on which consultations were based or visit the developer’s website to respond to consultation questions.
 - ii) The scale and likely ecological and human impacts of what is proposed, who or what may be impacted, and the benefit-risk balance locally and for UK society.
 - iii) Whether the consultation approach was adequate or not, or any consideration of reasonable alternatives for low-emission generation that may be less costly and less damaging to ecosystems and coastal community values.
- Other residents and Councillors will generally argue for an open-minded, critical examination of Rampion 2 like any commercial proposal for low-emission energy supply infrastructure, including:
 - i) The degree any proposal actually advances the underlying national need and conforms to relevant strategic advice and safeguard protections, and especially the efficacy of the developer’s benefit-risk calculation claims made in consultations.
 - ii) Taking into account the quality of the information put on the table in the developer’s PEIR and pre-application consultation materials, and what is left out, and
 - iii) Considering what additional information or analyses may be offered as relevant Representations at Examination for the ExA to take into account and weigh.

Hence this Representation is submitted following the DCO procedure encouraged by its aim to streamline decisions on major infrastructure projects, while at the same time promising a fair process to reduce risks to both communities and the commercial developer, as well as risks to the achievement of sustainable development as the overarching objective of the planning system.⁸

A key issue as noted in PINS FAQ guidance is that the information presented in the developer’s PEIR and statutory consultations must provide clarity to all consultees.⁹ Also as noted in the same PINS guidance, “applicants should be careful not to assume that non-specialist consultees would not be interested in any technical environmental information”.

By extension, they should not assume residents who follow and respond to these statutory consultations are not interested in, or familiar with the very real impacts of past energy policies and investment choices as felt today, technical information on the actual performance and output of wind turbines operating in different UK wind regimes, the metrics of value for money, or what constitutes genuine respect for relevant strategic environmental advice on locating this new generation of impressively large offshore turbines, as well as the relative benefit-risk calculation for reasonable alternatives to the proposed development to achieve low emission generation.

⁸ The National Policy Planning Framework (NPPF) supported by the Planning Act (2008) explicitly states, “The purpose of the planning system is to contribute to the achievement of sustainable development...” (Para 7, NPPF, 2021). For NSIPs it is effectively a presumption for sustainable development, not just development.

⁹ [The Planning Act 2008 \(as amended\) Pre-application procedure: Section 47 – Community Consultation Frequently Asked Questions \(FAQ\) | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/frequently-asked-questions/)

2. Previously documented adequacy concerns continuing in 2022

We understand the six types of consultation inadequacy that south coast Residents had witnessed and documented in 2021, as elaborated in the Littlehampton CSO Open Letter (3 Feb 2022), have yet to be addressed substantively by the developer, if at all.

Moreover, these same inadequacies were carried over to the developer's reopened statutory consultations in 2022, and to some extent they were amplified.

Our reading of the Planning Act (2011 as amended) plus relevant PINS FAQs indicates this constitutes ongoing failure to comply with statutory pre-application consultation requirements (under Section 47), and not taking account or having regard to important responses to Rampion 2 consultations to date (under Section 49). And under section 50(3), developers must have regard to consultation guidance when complying with provisions of the Planning Act in relation to the pre-application procedures and practices on major infrastructure applications.

Thus on top of the 2021 concerns as summarised below in bold text, we offer a relevant updates in the bullet points below that cover 2022:

1. **“Failure of the Applicant to directly notify all people and groups with property in the Coastal Area (Zone 3, 100m from the coastline) about the consultation by mail, as provided in the Applicant’s statutory Statement of Community Consultation (SoCC); compounded by failure to be inclusive in defining Coastal Area Zone 3.”**
 - *The above failure (or error) was initially exposed by Residents in face-to-face meetings with the Parish Council in Middleton on Sea, 25 August 2021, when residents confronted the developer who attended virtually only (on a screen) despite the UK Government having lifted restrictions on indoor meetings and social distancing by that time. It took a further 6 months for the developer to acknowledge and accept responsibility for that failing.*
 - ***The relevant point now is in the reopened consultations 7 Feb 2022, the developer again failed to provide leaflets to all South Coast residents within 100m of the shore, where the original PEIR and SoCC published was unchanged.*** Documented evidence of that ongoing SoCC failing in 2022 is offered in a separate AoC Representation to Councils by a Middleton on Sea CSO in direct contact with both their Parish Council and the developer.
 - *Additionally, from the Littlehampton perspective, where properties on its open seafront start about 145m from shore, all of Littlehampton remained excluded from Zone 3 notifications. This is despite the fact many residents and seafront visitors would face the same unobstructed views of tower arrays and turbines imposed on the natural seascapes they currently enjoy and value. At night the entire seascape would consist of flashing red lights.*

Littlehampton CSOs asked what was behind the decision to exclude the whole of Littlehampton, a major host community directly impacted by Rampion 2, by choosing 100m as the criteria for Zone 3? Moreover, why was that error in judgement or oversight (we can only assume) to exclude Littlehampton residents not addressed for the Feb 2022 reopening of Zone 3 consultations after the issue was brought to the attention of the developer, ADC and WSCC Councils (as in Attachment A2 Item 1, and Attachment A3 Items 1 and 2), and also shared with the developer’s Project Liaison Group at that time (as in the Open AoC Letter).

Councils referred us to the developer who referred us to the Councils, even though it was a relevant statutory consultation response. Nor is the concern recognised or even mentioned in the developer’s Consultation Report, “First Round of Statutory Consultation Report that was

released 17 Oct 2022, when at the same time RWE announced it had fixed the offshore component; meaning there would be no further community consultation input for the remainder of the DCO process, only interested party representations to the ExA's quasi-legal hearings for those in the community motivated to bother.

- In our view that was an inflexible and dismissive way to “take account” of relevant consultation responses and was not operating in good faith. Moreover, the developer’s Consultation Report appears to be superficial, self-serving and otherwise lacks relevant detail. In our view, the Consultation Report does not raise relevant concerns that should be highlighted to thereby adequately inform the Acceptance stage decision to be made by PINS.

Note: Littlehampton CSOs highlighted concerns that relate to the 100m criteria and specifically requested that for the re-opened consultation in February 2022 (See Attachment A2, Item 1):

“Modifying the Coastal Zone 3 criterion in the SoCC that calls for the Applicant to mail consultation notices to all residents and groups of people along the Coast with properties within 100m from the sea to alert them to the consultation. The Coastal Zone 3 distances should be increased appropriately in consultation with local authorities to reasonably include all properties with a clear line of sight to the proposed turbine arrays, whose beneficial enjoyment of the natural seascape will be permanently transformed.”

- As also stated in Attachment A2 Item 1, the arbitrary 100m criterion also excluded all north-south running streets along the Sussex Coast where residents have either full or partial views of the proposed large Rampion 2 turbine arrays, day and night.

We noted that the SoCC was updated by the developer for the reopened statutory consultation in October-Nov 2022 so it is clear there was no barrier to updating the SoCC for the Feb-April 2022 reopening, which would have served everyone’s best interest.

- Thus CSOs saw multiple unnecessary failures on this Coastal Zone 3 issue that relate to more than one statutory test of adequacy, as well as not offering good faith consultation practices.

2. “ Failure of the Applicant to react to evolving social distancing guidelines and adapt their consultation approach, as specified in the statutory SoCC; compounded by documented reluctance of the Applicant to co-operate in good faith with host community initiatives that did.”

- This failure was initially raised as it applied to the first statutory consultation round starting 14 July 2021, after the COVID-19 restrictions on indoor meetings and social distancing had been lifted by the Government.

In July 2021, the Littlehampton Society and East Beach Residents Association continued to prepare for a face-to-face community-led public meeting in the Littlehampton Town Council’s Millennium Chamber on 24 August 2021 including the agenda preparation, invitations and logistics and funding arrangements. In mid-July 2021 Littlehampton CSOs invited the developer’s representatives to attend, to make their Rampion 2 presentations and participate in open discussions in the manner that is anticipated in government guidance on pre-application consultations and thereby receive highly informed and quality feedback on their proposed development.

- The main point now being the same failure to implement the SoCC terms on “... having regard to the latest advice and guidance from Government regarding Covid...” was repeated in the reopened consultation 7 February to 11 April 2022 conducted again in a virtual-digital on mode, where the original PEIR and SoCC was unchanged.

This was despite CSO Representations to Councils shared directly with RWE that highlighted the value and need to update the SoCC to reflect the Govt’s lifting of indoor meetings and

social distancing restrictions and get back to normal methods and standards as set out in the MHCLG / PINS (2012 and 2015) pre-application consultation guidance and relevant Advisory Notes, and as required in the planning Act (Section 50(3)) on having regard to guidance).¹⁰ At minimum we asked for the developer to genuinely and fully respect the existing provisions in the SoCC on, “.... **having regard to the latest advice and guidance from Government regarding Covid ...**” (Rampion 2, SoCC page 9).

As CSOs in a potential host community, we believe that conducting the reopened consultations on a limited (virtual) basis was a breach of the SoCC, as elaborated in the communications provided in the Attachment A2, Item 1 and Item 3, and Attachment B1, Item 2, which constitutes an ongoing Section 47 failure to implement the SoCC.

Additionally, residents felt their request was reasonable, common sense considering the fact that the reopened 2022 consultation presented a genuine opportunity for all residents and members of the public to participate, not just Zone 3 residents, as the developer acknowledged in written correspondence on a relevant consultation response to MOSCA.

- We must remark also that Littlehampton residents were encouraged to hear that our District and County Councils had responded favourably to CSO requests asking them to engage the developer on this issue, which was very much appreciated, namely:
 - WSCC in response to the Littlehampton CSO Representation 7 Feb 2022 wrote, “Although the County Council spoke in advance with RWE about the possibility of face-to-face meetings being held, RWE were responsible for deciding how the consultation should be undertaken and, as above, the County Council could not make any demands of RWE with regard to such matters.” (Attachment A2, Item 2), and
 - The Office of ADC’s CEO office shared our concerns directly with the developer (Attachment A3, Item 1).
- Otherwise, we believe the value of open unrestricted consultation meetings that were entirely possible for the developer to arrange in 2021 and in 2022 was illustrated by the example of the 24th August 2021 community-led meeting held in the Littlehampton Town Council’s Millennium Chamber attended by over 80 people, including Cllrs from three levels invited from along the coast. And then in the Middleton on Sea Parish Council meeting on Rampion 2 with their residents the next day 25th August 2021.

Littlehampton CSOs and residents remain deeply appreciative of those Councillors who attended the 24th August 2021 meeting. Those face-to-face open discussions helped reveal many issues still not apparent or emerging in the virtual-only Zoom and digital consultations controlled by the developer. At least those issues can now be brought to the attention of the Examination Panel in relevant Representations – even if that is the hard way in terms of relying on and using the voluntary time and resources of CSOs.

3. “The absence of visual animations and adequate static representations of turbines in virtual engagements and in on-line videos that the PEIR offered as a basis for consultations; compounded by the failure to meet standards for “Visual Representation of Wind farms” (SNH, 2017) which the Applicant says were followed.”

- The static visual representations of the 325m tall turbines for the proposed development (one of the two Rochdale Envelope “worst case” scenarios offered by the developer for consultation) as seen from different locations along the coast were buried in volumes of the PEIR on-line. They were not highlighted in any meaningful way in the Applicant’s Zoom

¹⁰ Section 50 PLN Act 2008, Guidance about pre-application procedure, “The applicant must have regard to any guidance under this section”. This applies to Guidance on the pre-application process; March 2015, Department for Communities and Local Government.

consultations, or in the on-line videos, nor were there any visual animations that would have been especially helpful given the limitations in access that many had to information in the virtual-digital only consultations involving 000's of pages to sift through.

Proper visual animations were actually prepared and offered by the CSO Protect Coastal England (PCE), at the time and expense of the CSO, not the developer, but of course did not have the same exposure and viewing that the RWE website had. Those animations served to illustrate what should have been done by the developer acting in good faith, in our view. ¹¹

- Critically no survey was conducted by the developer where residents and visitors were actually shown visual representations of what was proposed from different locations along the coast, and thus could see and compare the change. That was done for the Navitus Bay Wind Park DCO to test visitor and resident reactions to various turbine scenarios by both the developer and subsequently by the Bournemouth Borough Council.

For those residents and Councillors who had the time, energy and interest to go to the developer's website, it was largely left to them to essentially discover, or stumble across and then interpret what the inadequate static representations in Annexes of multiple online volumes of the PEIR actually meant - in order form a view of the visual impacts and then respond to the developer's online survey that constituted the consultation.

At the same time, the developer's narrative to accompany what we saw as less than accessible visual information, was a comforting "beauty is in the eye of the beholder". That was a central message in the statements in the pre-application videos and consultation promotion material and in articles the developer placed in local media, such as: ¹²

"Is the visual impact of turbines acceptable? Beauty is in the eye of the beholder and we recognise that not everyone likes the appearance of wind turbines, though many do. After the existing Rampion was constructed a Public Opinion Survey of the Sussex Community showed 85% support, just 4% were negative."

When in fact looking into that public opinion survey the developer referred to, reveals the survey was conducted in Jun 2019 by Populus, before the developer's PEIR proposal in 2021. It had little to do with likely visual impacts of the proposed Rampion 2 turbines (up to 325m turbines with tower arrays starting 8 miles from communities along the shore). Our take was the developer's pre-application consultation messaging conflated acceptance of the visual impacts of Rampion 2 with the public's general support for renewable energy.

Closer inspection of the Populus survey obtained by Protect Coastal England as part of due diligence revealed the more accurate picture as noted in the footnote. ¹³

- **Moreover, a specific ongoing concern in 2022 was the developer failed to provide adequate static visual representations of the offshore component to accepted standards (i.e., in SNH, 2017) in keeping with recognised procedures, despite claiming otherwise when directly questioned by CSOs. The context is elaborated in the Open Letter (Attachment B1, corresponding to the same topic, Item 3 on Inadequate Visual representations).**

¹¹ Later migrated to the Protect Coastal Sussex website where the animations can be seen of the PEIR proposal <https://www.protectcoastalsussex.org/windfarm-animations>

¹² https://issuu.com/insidecommunity/docs/worthing_apr_22/s/15171951

¹³ RWE claim 85% support for Rampion1 as deduced from Table 2 on page 5 of the 2019 Populus survey they commissioned; however, on page 6 where it breaks the analysis down in answer to "Aspects-the appearance of the windfarm", only 549 (54.9%) have a positive view (this before information on what was proposed was available ie., turbines up to 325m) and Table 26 page 108, "Why do you support the Rampion Offshore Wind Farm ?", the sub question "Like the appearance ?" showed over all constituencies, the average was 9%, with individual parts like Brighton Pavillion showing 16% and Bognor/Littlehampton areas 5%.

- *As one consequence, the PEIR and the material the developer offered on which the virtual-digital consultation on the offshore component was framed failed to offer a realistic indication of what a large wind farm extending along the Sussex Coast may look like to thus enable residents to appreciate the sheer scale, expanse and likely significance of impacts, or to compare that visual representation with their memory of the existing and far smaller Rampion 1 installation - then draw their own conclusions on the proposed development.*

This concern was compounded by the fact the developer only offered a desk study hypothesis (Item 5 below) stating emphatically there was little evidence in the UK or internationally of any significant adverse visual impacts of large wind turbines on coastal tourism and residents. Plus the fact previously mentioned, the developer had not actually undertaken any survey where people were shown appropriate visual representations, as would be expected as common-sense consultation practice (again as done for the Navitus Bay DCO).

- *While written requests were made by Protect Coastal England (PCE) as relevant consultation responses in 2021 (Attachment B1, Annex to the Open Letter, Item 4) the issue has not been addressed by the developer (to our knowledge). Specifically, visualisations in the recommended format as provided in “Visual Representation of Windfarms” (SNH, 2017) and as cited by the developer in the PEIR¹⁴ were clearly not available during any round of statutory consultations. There was no apparent correction to the PEIR consultation materials on this aspect, nor mention in the statutory consultations that reopened in 2022.*
- *In fact during the reopened 2022 consultation a request was made by the Middleton on Sea CSO (MOSCA) as a relevant consultation response in conversation with their Parish Council in direct contact with the developer, where the Council asked reasonably for appropriate visual representations of Rampion 2 turbines as seen from Middleton on Sea.¹⁵*

The request was dismissed in writing stating the developer had already agreed viewpoints with statutory consultees (we assume in 2021 during lockdowns). As further justification the developer again claimed it had followed well-established industry procedures for presenting visual representations (when it had not) and therefore members of the public should register as Interested Parties to raise concerns with the Planning Inspectorate, meaning at the Examination stage.

- *All these factors together meant the experience of many residents was the visual representations were not very accessible; beyond that, they were inadequate and not offered to standards the developer cited. The developer was also selective in taking account of consultation responses on this very significant issue for many residents, recognised as highly significant where visual buffers are advised in the UK Government’s own strategic environmental advice, as noted in item 4 below .*

4. “ Misrepresentation by the Applicant in public consultation meetings on whether the Rampion 2 scheme presented in the PEIR conforms to strategic advice and safeguards for visual buffers provided in the Government’s rolling Offshore Energy Strategic Environment Assessment programme (OESEA).”

- *This misrepresentation first came to light in the 24th August 2021 community-led public meeting in Littlehampton and was elaborated in the Outcome Reports of the Meeting provided as a consultation response to the developer that conveyed the consensus view of 80 or more Residents and Councillors attending the open meeting in-person.*

This concern was again flagged in the Littlehampton Open AoC Letter early Feb 2022 (Attachment B1, its attachment 1, Item 4). The Meeting Reports illustrate how the developer

¹⁴ Page 139 Chapter 16 of the PEIR and subsequent consultation responses to MOSCA in the next bullet point.

¹⁵ The PCE request is in the Open Letter (Attachment B1). The Middleton on Sea request is addressed in correspondence in the AoC Representation by MOSCA to Councils shared in draft with Littlehampton CSOs.

emphatically argued with impressive conviction and confidence there was no conflict between the proposed Rampion 2 development and the UK Government's strategic environmental advice on visual buffers for very large turbines and designated areas.

The developer went further to argue the question of whether Rampion 2 conformed to OESEA strategic environmental advice was already "cleared" by statutory Government bodies, such as Natural England - otherwise there would be no DCO application.

That position was argued (on screen by the developer's representatives) in front of over 80 people despite clear statements by area MPs to the contrary and earlier presentations in the same meeting on the actual OESEA strategic environmental advice and how it was applied on two previous windfarm applications on the south coast (i.e. the Navitus Bay Wind Park Application that was refused development consent in 2015, and the existing Rampion installation that was granted development consent in 2014).

- *Like the proverbial "Artful Dodger", as we believe, the developer knew full well the decision on whether relevant OESEA strategic environmental advice put there to protect coastal communities and valued coastal seascapes from multiple unnecessary harms can be relaxed, or not - is only reviewed at the Examination stage by the ExA, who then makes a recommendation to the Secretary of State on a case-by-case basis.*
- *That is the nature of the DCO process as illustrated on the 970 MW Navitus Bay Windfarm DCO application accepted for Examination by PINS, then refused development consent in due to not respecting OESEA advice that was deemed applicable by the ExA, "... **which carried significant weight against the grant of consent...**"¹⁶*

Whereas, in the case of the far smaller 400MW Rampion 1 windfarm DCO application, the OESEA strategic environmental advice on visual buffers was relaxed by the ExA, largely because Brighton and Hove Councils had no objection and actually lobbied for the development, and taking into account the limited physical extent of Rampion 1 as compared to the 970 MW Navitus Bay Wind Park scheme and now this far larger and more expansive 1,200 MW Rampion 2 proposal.

That was despite the fact Natural England also stated that they believed that the revised wind turbine array for Rampion 1 would still compromise and be in conflict with the National Park landscape / seascape objectives (that were under discussion during the Examination on the critical question of what constituted the "least worse case" for Rampion 1).¹⁷

None of this relevant information was made available in the developer's PEIR or consultation materials.

The very reason that Littlehampton CSO offered input to the developer's SoCC and hold the community-led meeting (in person, inviting the developer to participate, was to get out of the straitjacket that virtual only consultations so obviously imposed –the method decided by the developer. That helped to clear up key the misconceptions about what was proposed, where only a few residents were aware of the planning and technical issues and how they were being presented by the developer.

In our experience that misrepresentation only confused and divided Residents and

¹⁶ Secretary of State Decision Letter: Reasons for Refusing Development Consent of the Rampion 2 Wind Park Application. <http://infrastructure.planninginspectorate.gov.uk/projects/south-east/navitus-bay-wind-park/?ipcsection=docs> and the White Report commissioned by BEIS in the next footnote

¹⁷ White Report, 2020, item 3.48 page 18

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896084/White_Consultants_2020_Seascape_and_visual_buffer_study_for_offshore_wind_farms.pdf

Councillors who did not know what to believe. It undermined the very aims of pre-application consultations as provided in Government advice (MHCLD, 2015).

- *Littlehampton CSOs subsequently put a key question to the Department for Business, Energy and Industrial Policy (BEIS) when the relevant OESEA4 was published in March 2022, asking specifically. “Does the White Report (2020a) remain in effect as part of the BEIS rolling SEA programme? Just to note, the White Report offers the strategic environmental advice as shown in Table 13-4 in Annex B1, Item 2 Attachment 1 to the Open Letter, Issue 4 on the OESEA relevance.*

As seen in the BEIS response and the OESEA, for turbines above 225m tall, the advice is to install them no closer than 40km (25 miles) from designated landscapes. Attachment A4 Item 8 has the actual questions that Littlehampton CSOs put to BEIS, where BEIS responded, “The (White) report was commissioned to inform OESEA4 and given the scale of the turbines it covers, is it considered that it will usefully inform the SEA programme for some time.”

- *The central point here in respect to consultation adequacy is, why did the developer persist in misrepresenting the context and situation with respect to the Government’s relevant strategic environmental advice that directly related to the proposed Rampion 2 development, and thereby deliberately (or inadvertently) confuse consultees and muddy the water?*

These were serious people attending the Community-led meeting who had given up their personal time on a summer evening 24 Aug 2021 to attend a consultation in-person, when honest clarity was sought on this highly important proposal to transform our valued coast and ecosystems at a cost £3+ billion, providing a commercial rate of return to the multinational develop.

That theatre on full display in the meeting followed by a similar performance at the 25th August 2021 consultation meeting next day arrange by the Middleton on Sea Parish Council for their residents, has shaped views of the adequacy of this consultation and led many residents to question where accountability starts in the DCO process.

The developer has yet to comment on the Littlehampton CSOs consultation response contained in the 24th August Meeting Outcome Reports. Nor is conformity to strategic environmental advice and how the developer handled that question (a relevant consultation response) mentioned in the developer’s Consultation Report, “First Round of Statutory Consultations 2021-2022 Feedback” dated 17th October, 2022.

For context here, we also observe that throughout the developer-led consultations and presentations in 2021 and 2022 there was no reference whatsoever to the Navitus Bay Wind Park proposed for the other side of the Isle of Wight being refused development consent in 2015, or why. That relevant Navitus Bay experience and lesson was absent from the PEIR Chapters that the developer offered as a review of UK and international experience (addressed as a separate point in Item 5 below, unless we missed any passing reference).

5. “Offering a narrow socioeconomic Desk Study on which consultations were framed using selected out-of-date research studies on attitudes to windfarms, instead of undertaking actual resident and visitor surveys; compounded by offering comparisons with two existing windfarms of a completely different scale and nature to claim they verify a Desk Study hypothesis that Rampion 2 has no impacts (negligible) on residents and visitors.”

- *This concern speaks to the quality of the developer’s PEIR work and the assertions the developer offers in the statutory consultations, including how impacted communities should gauge or interpret the visual impacts of very large turbines over 225m, even up to 325m in close proximity to the Sussex shore. It attempts to shape how we as residents and potentially*

*the host communities could (or should) judge the local benefit-risk balance of the proposed development.*¹⁸

- *The concern about a selective and inadequate Pre-Application Desk Study is amplified in view of the increased number of highly visible large turbines now fixed for the DCO application (up to 90 turbines up to 325m, as compared to the 70 turbines up to 325m defined as one of the two “worst case” scenarios for the Rochdale Envelope the developer offered for consultation and comment by statutory consultees and local communities.*
- *In this respect as a relevant consultation response, Littlehampton CSOs requested in the Open Letter 3 Feb 2022 shared with the Developer’s own PLG Group and Councils that:*

”Instead of the PEIR Desk Study citing dated research and reports that go back almost two decades, the Applicant must offer current evidence and examples of windfarms near populous coastal communities to justify (or withdraw) the highly subjective hypothesis and conclusions in the consultation documents (the developer offered) that state:

“Overall, the evidence (in the UK and internationally) suggests that offshore wind farm developments generate very limited, or no negative impact on tourist and recreational users during the construction and operation and maintenance phases.” Rampion 2 PEIR. Volume 4, Appendix 18.2: Socio-economics technical baseline para 1.4.19.

Rather as CSOs noted, “In reality, natural seascapes have influenced why many residents chose to move to, or remain on the Sussex coast to raise families or retire. Seascapes and visual amenities are also an integral part of efforts to grow the coastal tourism economy. Safeguards such as visual buffers for windfarms exist for that very reason”.

- *The Open Letter goes on to list all the windfarm examples and research that the Rampion 2 PEIR Desk Study referenced. As can be seen those references are selectively considered and dated (going back to 2002-2016 when turbines were universally far smaller). The PEIR research even ignored the OESEA strategic advice and experience with the Navitus Bay Windfarm thus giving all appearances of ignoring highly relevant experience and information from the statutory consultations on Rampion 2 (whether by design or error).*
- *If RWE’s research hypothesis that it goes on to confirm is valid looking at Rampion 1 and a similar scale windfarm that actually respected OESEA advice were true there would be no need for the UK Government’s rolling OESEA visual buffer advice. Moreover, there would have been no need in December 2022 for RWE to reduce the number of turbines on its proposed Awel y Môr wind farm in Wales from 91 turbines to between 35 and 50 due to the Unitary Council in Wales objecting to that proposed RWE development stating concerns about impacts on residents, visitors and the tourism economy, as widely reported in the media. (e.g. <https://www.bbc.co.uk/news/uk-wales-59712566>)*

6. “General failure to meet the standards of consultation envisaged in the relevant government guidance (MHCLG, 2015) in this experiment with virtual / digital only community consultation, given the DCO regime front-loads consultations into the pre-application stage “to ensure a more transparent and efficient examination process”.”

- *On top of the many specific, layered and overlapping failures to adequately consult during the Rampion 2 pre-application, an ongoing concern was the developer not taking into account responses to consultations in a reasonable or adequate manner, and from what we could see in most cases, not at all.*

To many residents this meant that the developer’s consultations with the local community

¹⁸ Elaborated in Attachment B3, Section 3, under Local Impacts in the PEIR

were disconnected from reality. As time went on many residents took the view there was little point responding to consultations if there was no apparent accountability.

- *This was consistently frustrating to many residents, even correcting for challenges that the developer faced with COVID-19 restrictions earlier on. It is also the cumulative impact and weight of many consultation inadequacies that frustrated residents genuinely trying to understand the local benefit-risk tradeoffs and the actual contribution that Rampion 2 could make to UK national energy and climate policy aims, relative to other £3+bn investments in windfarms or low-emission supply to thereby to offer informed and constructive feedback in this DCO, other than just platitudes.*
- *Thus in the opinion of many residents who took the time to actually follow the Rampion 2 consultation and read the PEIR consultation documents what came across was many systematic, layered misrepresentations and in how key information was presented significantly impinged on the adequacy of consultation in 2022 and hence the motivation to participate in consultations.¹⁹*
- *It was already stretched to the limit due to the virtual manner it was conducted, by choice by the developer itself. Again as council informed Littlehampton CSOs in 2022 when consultations were reopened:*

“Although the County Council spoke in advance with RWE about the possibility of face-to-face meetings being held, RWE were responsible for deciding how the consultation should be undertaken and, as above, the County Council could not make any demands of RWE with regard to such matters.” (Attachment A2, Item 2)

¹⁹ In respect to de-motivating community participation in consultations, many felt the consultations offered little scope to link the proposal to spend £3+ billion on more wind turbines on the south coast with a comparatively low wind regime in relative terms compared to other coastal regions, as seen in a UK Wind resources map. There was little offered in consultations to link the proposal objectively to the present-day realities of: out of control energy prices with no real prospects of relief in the near term; genuine consideration of reasonable alternatives; the forced recourse to intermittent power supply that is likely to worsen over the next decade, and; multiple threats to the entire UK economy due to failure and tick box target thinking that has compounded present-day problems.

3. Additional adequacy concerns arising in 2022

Additional concerns arose with the developer's statutory consultations 7 Feb to 11 April 2022, and 8 Oct to 29 Nov 2022. Concerning to many Residents were highly significant claims made at statutory consultation events and in statements to local media in 2022, which in our view clearly misrepresented the performance, benefits, impacts and risks of Rampion 2.

They challenged the notion of accountability for what is claimed at the pre-application consultation stage by developers that have a clear commercial interest to promote their commercially preferred development and where public opinions are shaped.

Concerns in this regard were conveyed to the developer in 2022 on multiple occasions as noted in Section 2. RWE's most recent claim of the power benefits of Rampion 2, and Rampion 1 and 2 combined were addressed in a recent Protect Coastal Sussex (PCS) consultation response 29 Nov 2022 and flagged in the AoC Representation that PCS recently offered Councils in mid-Dec 2022.

The fact is most people busy with day-to-day life will simply ignore, or accept the developer's claims at face value, without giving them another thought or close scrutiny. Especially today as families are busy just surviving, working and raising children and simply have no option but to trust that governments at all levels, and others who act responsibly will hopefully pay attention to the details of what the developer claims and perform the require due diligence.

The adequacy of pre-application consultation concerns raised here are twofold.

And here our comments take into account and also appeal to Councils and PINS as we reflect on the PINS FAQ statement and promise, "*If an application is submitted, we can consider those comments in addition to the statutorily required Acceptance tests when making the decision about whether or not to accept the application.*"²⁰

In the first place, the developer's power benefit claims for Rampion 2 made in statutory consultations feed into and take advantage of public trust, and the fact most residents cannot scrutinise the validity of such claims.

When presenting their claims in statutory consultations the developer chose to ignore the intermittency of wind power by offering annual averages of generation output. The claim and narrative is easily contradicted looking at real-time information available on the Crown Estate's website, where Rampion 1 itself and other offshore windfarms actually struggled to generate power during long periods of low, or no wind, this summer (2022) as well as this Nov-Dec (2022) when it was bitterly cold and demand for power and gas increased dramatically.

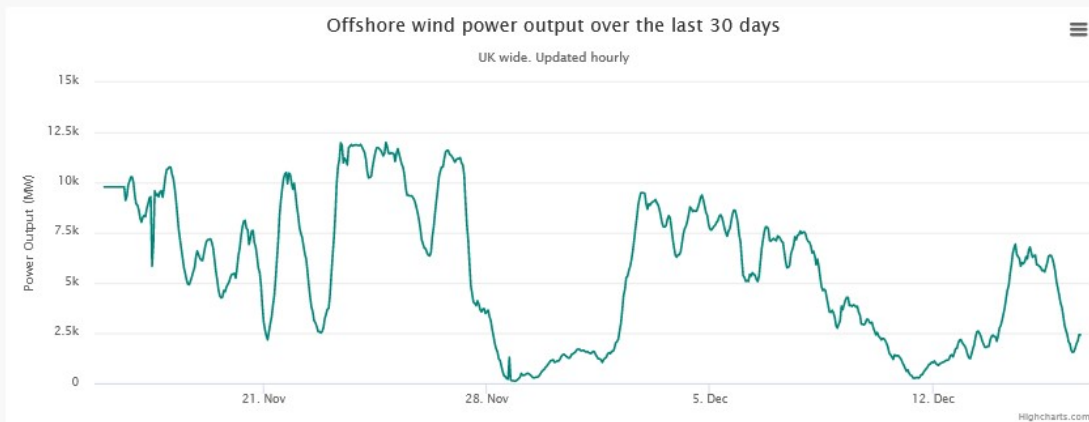
The 30-day generation in the figure below from the Crown Estate website 15 Dec 2022 illustrates the point. One can clearly see why in power system planning and operation terms, wind power is not classified as a dependable supply, or even predictable and "dispatchable" power supply which by definition can follow and meet variable electricity demand on the UK National Grid. It so obviously needs investment in energy storage and until that is available significant backup.

Additionally, even if one ignores the reality of weather-dependent variability in the Rampion windfarm supply to the National Grid (which varies daily, seasonally, and year-to-year) credible analysis shows the average annual output of Rampion 1 and 2 combined would not even come close **to meeting all the Sussex power needs (twice over) in the 2030 to 2050 timeframes (i.e., over the economic life of Rampion 2) as is claimed in the pre-application consultations in 2022 by the developer.**

²⁰ <https://infrastructure.planninginspectorate.gov.uk/application-process/frequently-asked-questions/section-47-faq/#7>. FAQ 2 Table in Item 2: Commenting on an applicant's Pre-application consultation.

Monthly offshore wind power output

View the combined power output of offshore windfarms over the past 30 days.



Source: Crown Estates website on 15 Dec 2022

In actual fact, the performance of the Rampion 1 installation since commissioning in 2017 as shown in load duration curves is 15% of the time turbines on the South Coast produce no output at all (where Rampion 1 is located and Rampion 2 is proposed); 60% of the time the output is 40% or less of installed capacity. Rampion 2 would have a similarly variable and intermittent output sitting in the same wind regime²¹

Other carefully constructed claims fed into pre-application consultation narrative unchallenged were highlighted in the PCS Press Release and supporting Background Note issued when the developer reopened statutory consultations on 18 Oct 2022.

For example, the statutory consultation claims that the offshore component now fixed for the DCO application was reduced by half in response to consultations all sounds very good. Indeed that “reduction” became a headline in local media, when in fact the polar opposite was true in respect to the number of large turbines proposed up to 325m, which do not respect strategic environment advice to place wind turbines over 225m tall more than 40km from landscape designations such as National Parks and other highly sensitive coastal receptors.

As noted, the PEIR defined a Rochdale Envelope or “worst case” scenario for the pre-application impact assessments on which statutory consultations were based: as being either 75 large turbines each 325m high, or 116 turbines each 210m high.²²

Yet the developer’s commercial preference announced as up to 90 turbines up to 325m tall now fixed for the DCO application is 20% over the worst-case of 75 large turbines consulted on. This increase is presented in publicity in statutory consultations as a “reduction from 116 to 90 turbines” amid other overlapping claims that Rampion 2 was “scaled back” almost 50 percent.

Two illustrative examples of reports in national and local media citing uncritically without fact checking the Rampion 2 developer’s statements are as follows:

²¹ As in the PCS Press Release, October 2022 based on published load curve date

²² Worst cases for the Rampion 2 offshore component were define in the PEIR, 2021 reviewed by Statutory Consultees and upon which the virtual local community and public consultations were based.

“A planned extension to an offshore windfarm will now cover an area almost half the size of what was originally proposed, its owners have said.” Owners of the Rampion wind farm, based off the West Sussex coast, said they now plan to build 90 new turbines instead of the original 116 turbines. BBC, <https://www.bbc.co.uk/news/uk-england-sussex-63253293>

“Proposals to build Rampion 2 – an extension to the existing Rampion wind farm – have been scaled back following concerns” <https://www.sussexexpress.co.uk/news/environment/rampion-offshore-wind-farm-scaled-down-in-west-sussex-reaction-from-arun-3884715>

As interested and affected communities, we argue that commercial developers must be accountable if they misrepresent critical Rochdale Envelope parameters in pre-application consultations. Moreover, the need for design ‘flexibility’ **should not be abused** as indicated in relevant PINS guidance, which we understand has statutory effect.²³

Again recognising the merits of a DCO application are not considered at the Acceptance stage our view in terms of adequacy of consultations is:

- *While claims the developer makes in statutory consultations at the pre-application stage may be exaggerations that are casually presented without context, the underlying concern is that once made, those claims tend to drive the consultation narrative.*
- *In turn that shapes (by design or not) how residents and Councillors perceive the proposed development, how they then judge it will affect their lives and livelihoods, and tradeoffs with risk to the environment, ecosystems and natural capital of the south coast.*
- *That in turn can unduly influence whether residents participate in the consultations to offer relevant responses, or subsequently decide to register as Interested Parties (IPs) to engage with and contribute to the Examination, or not at all.*
- *Similarly, it influences (limits) the questions and issues that residents raise that would help improve pre-application proposals, and otherwise raise in Representations to the Examining Authority to better inform DCO outcomes.*

We thus argue that making excessive claims serves no one’s best interests, certainly not interests of directly affected residents and communities and taking into account of the very objectives of NSIP pre-application consultations set by Government, namely:

“ ... applications which are better developed and better understood by the public, and in which the important issues have been articulated and considered as far as possible in advance of submission of the application to the Secretary of State. This in turn will allow for shorter and more efficient examinations.”²⁴

As interested and affected Parties our judgement making excessive claims knowing they will not be directly challenged needs correction and addressing going forward.²⁵

²³ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-nine-rochdale-envelope/> (para 2.3)

²⁴ April 2012 Department for Communities and Local Government

²⁵ Thus conducting due diligence on claims the developer has made with such calm certainty in statutory consultations left the impression among CSOs there needs to be clear accountability in what information was selectively presented in consultations and what is not. One recourse is for Interested Parties (CSOs) to offer due diligence Representations to the Examination, which unfortunately burdens and draws on CSOs time and resources. It raises the question of whether the developer should be contributing to fund necessary 3rd Party due diligence during the pre-Examination, instead of leaving it to CSOs, or if Statutory Consultees can be asked to play a follow-up role in respect to due diligence on unchallenged consultation claims.

4. Conditional Acceptance as one way forward?

Many Littlehampton residents anticipate the Planning Inspectorate will come under enormous pressure to accept the Rampion 2 Application for Examination for multiple reasons.

One pragmatic way forward if PINS does lean toward accepting the application for Examination regardless of AoC concerns expressed by residents and Interested Parties would be to consider conditions for Acceptance. Littlehampton CSOs argue that would be in the interest of fairness, balance and accountability. CSOs would therefore support suggestions made by Protect Coastal Sussex (PCS) in this regard, namely:

- a. RWE should make public the assumptions, modelling and detailed analysis they based their highly significant power demand-and-supply claims on, such that they are available for due diligence scrutiny and may be challenged in an open and deliberative process.
- b. RWE should fund and make publicly available independent analysis of the performance and power benefits of Rampion 2, and Rampion 1 and 2 combined, to help the ExA address claims the developer made during statutory consultations. Ideally these would be prepared by competent power authority staff, or their consultants not connected to RWE.
- c. Further, the EXA is asked by PINS to make provision to take due diligence evidence on the efficacy of RWE's claims made during pre-application consultations as regard to Rampion 2 benefits, performance and impacts (accepting that is only at the discretion of the ExA).

Littlehampton CSOs would add to those conditions (d) steps are identified for the developer to address and correct selected failings in the adequacy of consultation during the 3-4 month Pre-Examination stage with appropriate publicity in local media, including but not limited to directly informing Councils and the developer's Parish and Town councils PLG members.

That can also inform relevant Representations for the Examination by CSOs and Residents who register as Interested Parties. For example, requiring the developer to correct the SoCC Zone 3 consultation shortcomings, including providing adequate static representations to standard as requested in consultation responses. Plus providing appropriate visual animations of turbines that are the now fixed for the DCO application, which as mentioned CSOs offered previously at their own time and expense though with limited exposure as compared to the developer's outreach.

In our view those steps taken in good faith will help achieve a better DCO outcome and improve public confidence in decisions. We trust this is something Councils can and will take into account and support when preparing its AoC response to the Planning Inspectorate.

Yours sincerely,

With respect and regards,
Lawrence Haas and Faye Christensen

Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>
The Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>
Protect Coastal Sussex (PCS) <https://www.protectcoastalsussex.org/about>
Affiliated with Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

ATTACHMENTS:

- Attachment A1: Relevant correspondence between Littlehampton CSOs and WSCC on Rampion 2 DCO Representations

- Attachment A2: Relevant correspondence between Littlehampton CSOs and WSCC restarting consultations from 7 Feb 2022

- Attachment A3: Relevant correspondence between Littlehampton CSOs and ADC on restarting consultations in Feb 2022

- Attachment A4: Relevant correspondence with the Planning Inspectorate (PINS) and the Department Business, Energy and Industrial Strategy (BEIS)

- Attachment B1: Littlehampton CSO OPEN LETTER on Adequacy of Consultations (shared 3 Feb 2022 on 2021 Consultations)

- Attachment B2: Summary Report on the Littlehampton Community-Led Meeting 24th August 2021 as the first Statutory Consultation response

- Attachment B3: Main Report on the Littlehampton Community-Led Meeting 24th August 2021 as the first Statutory Consultation response

ATTACHMENTS - PART A

Attachment A1: Relevant correspondence between Littlehampton CSOs and WSCC on Rampion 2 DCO Representations

Attachment A2: Relevant correspondence between Littlehampton CSOs and WSCC on RWE restarting consultations in Feb 2022

Attachment A3: Relevant correspondence between Littlehampton CSOs and ADC on restarting consultations in Feb 2022

Attachment A4: Relevant correspondence with the Planning Inspectorate (PINS) and the Department Business, Energy and Industrial Strategy (BEIS)

Note:

In Part A -Attachments Email correspondence from Cllrs to Littlehampton CSO members has the email addresses replaced with Surnames only

**Attachment A1:
Relevant correspondence between Littlehampton CSOs and WSCC on
Rampion 2 DCO Representations**

Item 1. Email From WSCC (28 Nov 2022)

- Michael Elkington, Head of Planning Services, WSCC
- Natalie Jones-Punch, Democratic Services Officer, WSCC
- Cllr, Deborah Urquhart, Deputy Leader of West Sussex County Council and Cabinet Member for Environment
- Paul Marshall, Leader of West Sussex County Council

Again Note: Similar emails sent to Arun District Council (ADC) Officers and Council Leaders and shared with the Littlehampton Town Councillors. Email addresses excluded.

Item 2. Email to WSCC (02 Mar 2022)

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Item 1: Date: Mon, 28 Nov 2022 at 15:30

Subject: RE: Community engagement with WSCC on Rampion 2 DCO: Next Stages

To: Haas and Christensen

Cc: Natalie Jones-Punch , Deborah Urquhart, Paul Marshall , David Warne (EBRA Chairman), Janet Crosley (Co-Chair the Littlehampton Society)

Good afternoon,

Thank you for your email and attachments.

I note your proposed actions for the next stages of the DCO process, including your intention to share your concerns with the County Council about the adequacy of pre-submission consultation. I have filed your previous comments about such matters so that they can be taken into account by the Authority when it is formally asked by the Planning Inspectorate to comment about the adequacy of consultation but it will be helped to have a document that draws your concerns together.

Although you intend to send that document to us following submission of the application for development consent, it would be helpful, if possible, to see it in advance (caveated as necessary) given that we will only 14 days in which to submit our AoC response.

Regards

Mike Elkington

Head of Planning Services | Highways, Transport, and Planning Directorate
West Sussex County Council, County Hall, Chichester PO19 1RQ

Item 2: On Fri, 25 Nov 2022 at 17:59:

Michael Elkington
Head of Planning Services | Highways, Transport, and Planning Directorate
West Sussex County Council,

Dear Michael,

Further to previous correspondence over the past 2-years on the developer-led Rampion 2 Windfarm pre-application, we share this update of how community organisations plan to engage with ADC and WSCC in the next stages of the Development Consent Order (DCO) process.

That is summarised below.

For information, we also share the attached Press Release and supporting Background Note issued by Protect Coastal Sussex (PCS), an affiliation of interested and affected Residents and independent community organisations and groups along the Sussex Coast.

That followed the reopening of consultations on the cable route across the South Downs National Park (18 October to 29 November 2022) and RWE's announcement that it has now fixed the offshore component for its DCO Application, expected early next year.

We have concerns about many new claims RWE is offering in these consultations and in statements to local media about the performance, benefits and harms of Rampion 2. That is concerning, considering how it shapes views and understanding of this proposed development.

The community has thus added a due diligence (fact checking) Representation on those claims to submit at the Examination stage alongside other Representations on Local Impacts and Reasonable Alternatives.

Again, we very much hope inputs offered to WSCC by interested and affected community organisations along the south coast will be welcomed and taken into account by the County Council in the manner set out in Guidance Notes and FAQ from central Government (PINS).

Otherwise, we hope to further shared interests in ensuring balanced analysis and information to improve the DCO Examination inputs and outcomes.

With respect and regards,
Lawrence Haas and Faye Christensen
Littlehampton

Members of the East Beach Residents Association (EBRA), the Littlehampton Society (TLS) and Protect Coastal Sussex (PCS) affiliated with independent community organisations along the Sussex Coast.

PCS website, "Who we are":

<https://www.protectcoastalsussex.org/about>

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For your convenience:

Summary of next Community-led Steps to engage ADC and WSCC in the Rampion 2 Windfarm Development Consent Order (DCO) process:

As indicated previously, once the German-based translational developer RWE formally submits an Application, Protect Coastal Sussex (PCS) and others will share written concerns with supporting evidence to ADC, WSCC and the Planning Inspectorate (PINS) directly about how many residents and families in our communities actually experienced the **adequacy of the developer-led consultations** on this proposal during the pre-application period.

We do hope those are taken into account in the County's adequacy statements.

Sharing views is consistent with Government advice on the DCO process that provides for interested and affected individuals and groups from community organisations to Parish and Town Councils to help inform ADC and WSCC Adequacy Statements that the Planning Inspectorate will invite and consider during a tight 28-day Acceptance Stage period.

Residents see this as part of the essential checks and balances that Parliament offered in the accelerated National Strategic Infrastructure Planning (NSIP) process, opportunities that we hope are fully utilised and respected, recognizing they are at the discretion of local authorities.

If and when a DCO Application for the Rampion 2 scheme is accepted for Examination, a draft version of a **community-led local impact report (LIR)** will be shared with ADC and WSCC as a formal representation. It will also be shared more widely with interested and affected communities along the south coast. That LIR work is in progress now, recognising that RWE has already announced it has fixed the offshore component of its DCO Application.

It is hoped community-led LIR work will be taken into account and referenced in the County's own LIR work, as provided in the PINS Advice Note 1 on Local Impact Reports (Para 4.10).

Similarly, PCS and other community groups will make and share separate **Representations to the Examination Authority on Reasonable Alternatives** (alternative turbine locations and clean energy, low-emission generation alternatives to feed the National Grid and loads in south coast with more dependable supply) that would cost the same, or less than the initial £3+ billion outlay for Rampion 2.

These are reasonable alternatives that outperform Rampion 2 and do more to realize the UK's urgent climate and energy policy objectives, while at the same time fully respecting the UK Government's own strategic environmental advice on locating large wind turbines to avoid community division, risk and harm to coastal communities; and specifically in planning terms - undermining the achievement of sustainable development of the Sussex Coast.

As noted a **Due Diligence (fact checking) Representation on RWE Claims on the Performance, Benefits and Impacts of Rampion 2 and R1+R2 combined** will also be shared that address concerns on RWE's new claims made during this recent Consultation and in local media statements.

Our view is that when presented with all the facts and evidence on Rampion 2, it will be much easier for the appointed Examining Authority (ExA) to see the combined harms (ecological, social and economic) far outweigh the potential benefits, similar to the rejected Navitus Bay Wind Park proposal by EdF on the other side of the Isle of Wight in 2015. There are reasonable alternatives (renewable and low-emission) that outperform Rampion 2 that do more to further national policy aims and are fundamentally better investments in the UK's energy future and sustainable development of the Sussex Coast and protection of our natural capital.

**Attachment A2:
Relevant correspondence between Littlehampton CSOs and WSCC on
RWE restarting consultations from 7 Feb 2022**

Content:

Item 1. Email to WSCC (07 Feb 2022)

- Michael Elkington, Head of Planning Services, WSCC
- Natalie Jones-Punch, Democratic Services Officer, WSCC
- Cllr, Deborah Urquhart, Deputy Leader of West Sussex County Council and Cabinet Member for Environment
- Paul Marshall, Leader of West Sussex County Council

Again: Similar emails sent to Arun District Council (ADC) Officers and Council Leaders and shared with the Littlehampton Town Councillors. Email addresses excluded.

Item 2. Response from WSCC (02 Mar 2022)

Item 3. Follow-up to WSCC (06 Mar 2022)

Item 1 Sent: 07 February 2022 14:58

To: Deborah Urquhart, Paul Marshall

Cc: Michael Elkington, Natalie Jones-Punch

Subject: Adequacy Concerns on Restarting the Rampion 2 Consultations: WSCC

Mike Elkington, Head of Planning Services

Natalie Jones-Punch, Democratic Services Officer, WSCC

Councillor Deborah Urquhart, Cabinet Member for Environment and Climate Change

Councillor Paul Marshall, Council Leader and Cabinet Chairman

West Sussex County Council

Dear Councillors and Officers,

Today the conglomerate RWE re-opened its pre-application consultations on the Rampion 2 Wind Farm proposal notified suddenly last Thursday.

While we welcome that step, we believe that conducting them on a limited basis as it appears to be RWE's intention, when social distancing requirements are fully lifted is a breach of the statutory Statement of Community Consultation (SoCC).

It compounds other inadequacies and breaches that we cite.

We support the call for WSCC Officers to give weight to community concerns on the ground as expressed herein, and now speak with some urgency on our behalf with the Applicant and the Planning Inspectorate to resolve them.

In our view, the situation now calls for a new (SoCC), or at bare minimum, implementing the current SoCC provisions on adapting to changes in government social distance guidelines, that state:

“Given the uncertainties of social distancing requirements during our consultation period, for the purpose of this SoCC, we are formally planning for primarily virtual methods of consultation and

engagement. However, we will give consideration to ... and community engagement methods having regard to the latest advice and guidance from Government regarding Covid ...” (Rampion 2 SoCC page 9).

At the end of this email in the Elaboration we note six areas where we believe the Rampion 2 pre-application consultations to date were inadequate and remain so.

A Open Letter that we already shared with you elaborates on these with evidence and also advises on steps that we believe will help lift this next round of consultations to standards provided in the relevant government guidance (MHCLG, 2015) – i.e. to make them adequate.

We feel that is advised not only on statutory grounds, but it is plain common sense.

It is in everyone's best interest. It certainly will provide RWE with more meaningful and informed feedback to help refine its design proposals.

And critically it will better inform the DCO process to help to balance community interests in sustainable forms of development on our coast that respect government safeguards with the developer’s commercial interests, should the Application eventually go forward.

May we also take this opportunity to renew our request that was supported by the Littlehampton Public Meeting resolution on August 24th that WSCC Council Officers share the Terms of Reference (TOR) for the Local Impact Report the County Council is now preparing.

It is advised by the Planning Inspectorate in Advisory Note 1 on Local Impact Reports (i.e. that Councils are strongly encouraged to use the pre-application period to start their own evaluation of the local impacts, and “.... Local authorities should set out clearly their terms of reference for the LIR”.

Again, we believe it is in everyone's best interest, thus we do not understand the reluctance to share the TOR.

As mentioned in September 2021 correspondence with you, sharing would assist our voluntary professional group now preparing a host community Local Impact Report representation following the PINS guidance. It is a simple form of cooperation to acknowledge community initiatives and will help us direct our voluntary resources to add the most value.

We shall make a similar appeal today to Arun District Council Officers and Leaders and area MPs.

With thanks and respectfully,

Lawrence Haas and Faye Christensen

Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>

Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>

Protect Coastal Sussex (PCS), an affiliate of Protect Coastal England (PCE)

www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

(Note: The elaboration provided on the 07 Feb email is not included in this compilation as it deals with matters other than consultation as well)

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Item 2 On Wed, 2 Mar 2022 at 16:27, Michael Elkington wrote

Dear Mr Haas

I have been asked to reply on behalf of the County Council to your email.

As a consultee in the statutory Development Consent Order process, the County Council does not have any control over RWE and it does not have any powers to require or demand that RWE consults in a certain way.

Therefore, it is RWE's responsibility to ensure that it undertakes public consultation in accordance with the relevant legislation and it is responsible for determining who it consults, when, and how (as identified in its Statement of Community Consultation (SoCC)).

With regard to the current re-consultation in Zone 3, RWE recognised that an error was made and it is taking steps to undertake the consultation in accordance with the SoCC. Although the County Council spoke in advance with RWE about the possibility of face-to-face meetings being held, RWE were responsible for deciding how the consultation should be undertaken and, as above, the County Council could not make any demands of RWE with regard to such matters.

If an application for a Development Consent Order is subsequently submitted by RWE for approval, the County Council will be asked by the Planning Inspectorate (PINS) to comment on the adequacy of the consultation undertaken by RED, that is, whether it has undertaken the consultation as described in its SoCC. Therefore, the comments that you have made about the quality of the original consultation and the re-consultation are being kept on file so that they can be taken into account when the County Council is formally asked to comment on such matters.

With regard to County Council's Local Impact Report (LIR), which will give details in writing of the Authority's views on the "*likely impact of the proposed development on the authority's area (or any part of that area)*", work has not commenced on it at this stage given that discussions with Rampion about technical matters are continuing. With regard to sharing the Terms of Reference of the LIR, as per my email to you of 28 September 2021, the ToR are just a statement that identifies the local authority, the role and remit of that authority, and the topics covered by the LIR (which are likely to be the same as, or very similar to, the ones identified in the County Council's formal consultation response).

Finally, it is not the County Council's role to represent the potentially differing views of third parties or to capture them in the Authority's LIR. Therefore, as previously stated and as suggested by PINS, you should register as an 'interested party' at the appropriate time so that you can make your views known direct to the Examining Authority so that they can be considered prior to determination.

Regards

Mike Elkington

Head of Planning Services | Highways, Transport, and Planning Directorate
West Sussex County Council, County Hall, Chichester PO19 1RQ
Phone: 01234 642118
Email: Web: www.westsussex.gov.uk

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Item 3 On Sun, 6 Mar 2022 at 15:03

Michael Elkington
Head of Planning Services | Highways, Transport, and Planning Directorate
West Sussex County Council,

Dear Michael,

Thank you kindly for responding to Littlehampton area concerns about the Rampion 2 process.

Much appreciated.

We are happy to hear that our Open Letter with adequacy comments on the first consultation round will be taken into account when formulating the County's representation, should this Application be submitted. Communities along the coast may have further representations to the County concerning the Applicant's SoCC conformance during this second consultation round now underway.

As mentioned, we believe the narrow way the consultations restarted 7 Feb was ill advised and counter to the SoCC. Thus we have taken up that matter directly with the Planning Inspectorate.

About the Planning Inspectorate advice on the Local Impact Reports:

Clearly we interpret PINS advice differently. Thus we are also asking the Planning Inspectorate to confirm that Advice Note One: Local Impact Reports is still in effect.

And that those clauses which we highlighted still pertain (i.e., for Councils to prepare a clear TOR on which to base their LIR work - not the Topics illustration in the Advice Note 1 Pins cited as neither exhaustive or prescriptive (pars 4.3 and 4.4); that LIR preparations should start in the pre-application stage, i.e. should be underway at this time (para 3.5), and; that the Council's own LIR can include reference to representations from individuals, organisations and parish / Town Councils (para 4.10)).

Moreover, it is hard to understand how Councils can engage consultants for substantive work such as preparing a robust LIR on our behalf without a clear TOR.

Michael in the end we do recognise that PINS advice is just that - advice - which Councils may choose to ignore.

Thus we do hope that the County will keep an open mind to referencing impact representations in the County's local impact report, when the time comes.

For a bit of contrast, if we may:

Below is BBC coverage of how Conwy County responded to a similar wind farm proposal by RWE in Wales during their recent pre-application consultations Oct-Nov 2021. The Council cited the obvious damage to the visual landscape, seascape and harm to tourism and residents; too big and too close and not respecting government safeguards, etc.

As a consequence, RWE more or less immediately agreed to make significant changes and scale back. Moreover, if these same enormous (magnificent) turbines that RWE proposes for Rampion 2 were placed in Dogger Bank (where RWE is currently installing such turbines, with plenty of room to expand to meet targets) they would generate up to 60% more energy and carbon benefits, need less gas backup and result in less upward pressure on electricity tariffs.

Perhaps as a unitary authority it was easier for Conwy County to reach their conclusions on local impacts without public spending on another consultant report. We don't know?

- **Conwy council: RWE's Awel y Mor offshore wind farm opposed:**
<https://www.bbc.co.uk/news/uk-wales-58849945>
- **Dec 21, 2021 Awel y Môr offshore wind farm plans scaled back:**
<https://www.bbc.co.uk/news/uk-wales-59712566>

Kind regards and with respect,

Lawrence Haas and Faye Christensen

Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>

Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>

Protect Coastal Sussex (PCS), an affiliate of Protect Coastal England (PCE)

www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

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Attachment A3: Relevant correspondence between Littlehampton CSOs and ADC on restarting consultation in 2022

Emails:

- Item 1. Response from Arun District Council
- Item 2. Request to Arun District Council

Item 1 Date: Fri, 11 Feb 2022 at 11:28
Subject: FW: Adequacy Concerns on Restarting the Rampion 2 Consultations: ADC

Good morning Mr Haas

On behalf of the Chief Executive, thank you for your recent correspondence.

Please be assured that we will make contact with Rampion and pass on your suggestion that this round of consultation on the Rampion 2 Wind Farm proposal should be unrestricted now that social distancing requirements are lifted. That being said, ultimately this is a matter for RWE to consider and take forward as this Council do not have the right to enforce such decisions.

Kind regards

PA to Chief Executive & Monitoring Officer,

Item 2: **Sent To:** 07 February 2022
James Hassett, Chief Executive
Neil Crowther, Group Head of Planning
Karl Roberts, Director of Place
Councillor Shaun Gunner, Council Leader

Arun District Council

Dear Officers and Councillor Gunner,

Today the conglomerate RWE re-opened its pre-application consultations on its Rampion 2 Wind Farm proposal notified suddenly last Thursday, almost 5 months after the consultation formally closed mid-Sept 2021.

While we welcome and support that step in principle, we believe that conducting them now on a limited basis, as it appears to be RWE's intention, when social distancing requirements are fully lifted is a breach of the statutory Statement of Community Consultation (SoCC).

It compounds other inadequacies and breaches that we cite.

We support the call for ADC Officers to give weight to community concerns as expressed herein, to now speak with some urgency on our behalf with the Applicant, WSCC and the Planning Inspectorate to resolve them, and for RWE to abandon restrictive virtual methods of consultation and engagement.

In our view, the situation now calls for a new (SoCC), or at bare minimum, implementing the current SoCC provisions on adapting to changes in government social distance guidelines, that state:

"Given the uncertainties of social distancing requirements during our consultation period, for the purpose of this SoCC, we are formally planning for primarily virtual methods of consultation and engagement. However, we will give consideration to ... and community engagement methods having regard to the latest advice and guidance from Government regarding Covid ..." (Rampion 2 SoCC page 9).

At the end of this email (in the Elaboration part) we note six areas where we believe the Rampion 2 pre-application consultations to date were inadequate and remain so.

An Open Letter that we shared with you yesterday elaborates these concerns with evidence. It also advises on steps that we believe will help lift this next round of consultations to the standards of the relevant government guidance (MHCLG, 2015) – i.e. to make the Rampion 2 consultations adequate.

We feel that is advised not only on statutory grounds, but it is just plain common sense.

It is in everyone's best interest. It certainly will provide RWE with more meaningful and informed feedback to help refine its design proposals.

And most critically, it will better inform the DCO process to help balance community interests in what we hold to be sustainable forms of development on our coast respecting government safeguards with the developer's own commercial interests, should this Application eventually go forward.

May we also take this opportunity to renew our request that was supported by a Littlehampton Community-led Public Consultation Meeting resolution on August 24th that ADC Officers share the Terms of Reference (TOR) for the Local Impact Report the District Council is now preparing.

It is advised by the Planning Inspectorate in Advisory Note 1 on Local Impact Reports that (Councils are strongly encouraged to use the pre-application period to start their own evaluation of the local impacts, and "... Local authorities should set out clearly their terms of reference for the LIR").

Again, we believe it is in everyone's best interest.

Thus we do not understand the reluctance of ADC to share the TOR.

As mentioned in correspondence with you in September 2021, that would assist our voluntary professional group now preparing a host community Local Impact Report representation for the Examination following the PINS guidance. It is a simple form of cooperation to acknowledge community initiatives and will help us to direct our voluntary resources to add the most value.

We have made a similar appeal today to WSCC Officers and Leaders. And we plan to advise area MPs on hoped for progress.

With thanks. Respectfully,

Lawrence Haas and Faye Christensen

Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>

Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>

Protect Coastal Sussex (PCS), an affiliate of Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

Attachment A4: Relevant correspondence with the Planning Inspectorate (PINS) and Department of Business, Energy and Industrial Strategy (BEIS)

Emails:

- Item 1. To PINS on Re-starting Rampion 2 Pre-Applications Consultations
- Item 2. To PINS on the Consultation Report, Adequacy of Consultation criteria and Next Steps
- Item 3. PINS Response 14 April 2022 as S51 Advice
- Item 4. PINS Advice on Pre-Application Activities in response to Questions
- Item 5. Pins S51 Advice: Ref: EN010117, 23 April 2021.
- Item 6. Littlehampton CSO Response to S51 Advice and Follow-up
- Item 7. Advice from PINS to participate in MHCLD call for evidence on virtual consultations
- Item 8. BEIS Response on the Applicability of OESEA Strategic Advice on Rampion 2

Item 1: Date: Sat, 12 Feb 2022 at 16:41

Subject: Adequacy concerns restarting Rampion 2 Pre-Applications Consultations
To: NI Enquiries <NIEnquiries@planninginspectorate.gov.uk>
Cc: Rampion 2 Team <rampion2@rwe.com>,

Dear National Infrastructure Planning
Pre-Application Case Reference EN010117

Again would you kindly see that the Operations Lead Officer (Chris White, or the current incumbent) as well as the Rampion 2 Case Team receive this email along with the attached Open Letter.

Many thanks

Dear Mr White
Operations Lead
National Infrastructure Planning (PINS)

And the Rampion 2 Case Team

Pre-Application Case Reference EN010117

We draw your attention to recent email exchanges copied below between community organisations in Littlehampton and Arun District Council on the Applicant's 7 Feb 2022 re-opening of pre-application consultations on their Rampion 2 windfarm proposal.

This is more than 5 months after the formal consultation closed in mid-Sept.

We feel the narrow and virtual-only approach the Applicant has adopted to re-open consultations is a further violation of the existing Statement of Community Consultation (SoCC), as noted herein.

The Arun District Council CEO has agreed to share our concerns directly with the Applicant. While we are most grateful for that initial step, we believe this does not address issues which fall under the Inspectorate's purview.

Moreover, it is significant as a missed opportunity to raise this consultation to adequate standards as provided in government guidance (MHCLD, 2015). This narrow approach may lead to further delay. We believe that addressing these concerns now with the resumption of consultations with coastal communities is both common sense and in everybody's best interest. It will certainly provide the Applicant with more meaningful, genuine and informed feedback to help refine and improve its design proposals.

Most critically, it will better inform the DCO process and Examination and thus increase the prospects for public acceptance of the DCO outcome, should this Application advance.

Kindly note that the Open Letter attached provides evidence of what we believe are several ongoing concerns with the adequacy of consultations under lockdown, now simulated by the Applicant.

It was initially prepared as a submission to District and County Councils to inform their own Adequacy representations to you, anticipating the Application would be made in Q1 2022.

May we further ask:

1. If our Open Letter attached can be included under s51 advice on the Inspectorate's Website <https://infrastructure.planninginspectorate.gov.uk/projects/south-east/rampion-2-offshore-wind-farm/?ipcsection=advice>
2. If the Rampion 2 Case Team can respond to our previous requests for PINS advice on when Applicant Consultation Reports are made public in the DCO process.

That is not addressed in the PINS FAQ, as we understand.

We very much would like to see the Applicant's Consultation Report in time to be reflected in community-based adequacy representations that we believe will better inform our local Authorities in their representations at the Acceptance Stage.

We would very much appreciate your immediate attention to these matters.

Yours sincerely,
With thanks. Respectfully

Lawrence Haas and Faye Christensen
Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>
Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>
Protect Coastal Sussex (PCS), an affiliate of Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

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Item 2 **Sent:** 01 December 2021 13:27 and again 12 Feb 2022

To: NI Enquiries <NIEnquiries@planninginspectorate.gov.uk>
Cc: Jones, Hefin NSIP >; Rampion2 <Rampion2@planninginspectorate.gov.uk>

Dear Planning inspectorate
Nationally Significant Infrastructure Planning

Kindly pass this request for advice to the Rampion 2 Offshore WindFarm Extension Case Team
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/rampion-2-offshore-wind-farm/>

Dear Rampion 2 Case Team

We requested PINS advice a month ago on the DCO process copied below for your kind information.

In case that communication was misplaced during staff changes at PINS, may we ask when a response can be offered to the questions?

Q1. Do community organisations in host communities and other Interested and Affected Parties of proposed NSIP Projects, in this case the Rampion 2 coastal wind farm proposal, have access to Terms of Reference for Local Impact Reports that local authorities are invited to prepare; recognising that PINS Advice is that Councils should start the LIR work during the pre-application stage and we wish to provide inputs.

If Councils feel no urgency or obligation to share these TOR (as in our case) can PINS help encourage them to do so in the interest of transparency and rigour in the consent process? Or does PINS advise we must use an FOI Request - a last resort.

Q2. When is the Applicant's Report on the pre-application Consultation released to Councils and made available to Interested Parties and the general Public? Are we correct in assuming the Applicant's Consultation Report will only be made public if /when the Application is accepted for Examination by PINS?

Q3. What are the accepted Adequacy of Consultation criteria and how can interested and affected parties offer input on how they are applied? And would any adequacy of consultation statements giving reasons and evidence prepared by CSOs and other interested and affected parties be entertained by PINS, if they followed the PINS guidance to local authorities on preparing such adequacy statements?

These questions and the context were elaborated as below.

We are in the process of arranging various community actions and meetings with Local Authorities and area MPs with regard to the upcoming Acceptance and Pre-Examination stages. Thus we would very much appreciate clarity around the questions that we raise as soon as convenient.

If you prefer we can advance these questions in letter form.

Thanks and kind regards,

Lawrence Haas and Faye Christensen

In conversation with

The Littlehampton Society Committee and the East Beach Residents Association (EBRA) Committee

<https://thelittlehamptonsociety.org.uk/>

<https://eastbeachresidents.org/>

Item 3 : PINS Response 14 April 2022 as S51 Advice

Enquiry

Our Three Questions to PINS

Q1. Do community organisations in host communities and other Interested and Affected Parties of proposed NSIP Projects, in this case the Rampion 2 coastal wind farm proposal, have access to Terms of Reference for Local Impact Reports that local authorities are invited to prepare; recognising that PINS Advice is that Councils should start the LIR work during the pre-application stage and we wish to provide inputs. If Councils feel no urgency or obligation to share these TOR (as in our case) can PINS help encourage them to do so in the interest of transparency and rigour in the consent process? Or does PINS advise we must use an FOI Request - a last resort.

Q2. When is the Applicant's Report on the pre-application Consultation released to Councils and made available to Interested Parties and the general Public? Are we correct in assuming the Applicant's Consultation Report will only be made public if /when the Application is accepted for Examination by PINS?

Q3. What are the accepted Adequacy of Consultation criteria and how can interested and affected parties offer input on how they are applied? And would any adequacy of consultation statements giving reasons and evidence prepared by CSOs and other interested and affected parties be entertained by PINS, if they followed the PINS guidance to local authorities on preparing such adequacy statements?

Advice given (by PINS)

Thank you for your email of 12 February 2022. Please accept our apologies for the delay in replying. The Rampion 2 Offshore Wind Farm project is currently at the 'Pre-application' stage of the process and is due to be submitted to the Inspectorate in Quarter 3 2022. The Pre-application consultation process is entirely led by the Applicant, Rampion Extension Development Limited, who are responsible for ensuring that they comply with the legislative requirements surrounding consultation which are set out in s49(2) of the Planning Act 2008. The Applicant carried out statutory consultation between 14 July and 16 September 2021 and has also reopened formal consultation between the 7 February to 11 April 2022. Information on this and the documents can be found on the consultation section on the Applicant's website. In response to your question (Q1), Local authorities should set out clearly their Terms of Reference (TOR) for the Local Impact Report (LIR). The LIR should be used by local authorities as the means by which their existing body of local knowledge and evidence on local issues can be fully and robustly reported to the Examining Authority. Please note that the TOR is entirely the Council's responsibility and not something that the Inspectorate gets involved in so please continue to communicate with the Councils regarding their LIR. In regard to your question (Q2), in accordance with section 37 of PA2008, the Applicant must submit a Consultation Report with the application. This Consultation Report should set out the Applicant's Pre-application consultation processes, a summary of the relevant responses to its consultation and how it has taken account of responses received in developing the application. Provided the Applicant agrees, the Planning Inspectorate will publish the Application for development consent with all its associated documentation on the National Infrastructure website as soon as practicable after its receipt (including the Consultation Report). In the Acceptance period (i.e. the 28 days following the formal submission of an application) the Planning Inspectorate will review the application documents, including the evidence provided in the Consultation Report, against the statutory tests set out in s55 of the PA2008. In response to question (Q3), as soon as we receive the Application, the Planning Inspectorate will invite the host and neighbouring local authorities to review the Applicant's the Consultation Report and submit an 'Adequacy of Consultation Representation'. This Adequacy of Consultation Representation means a representation about whether the Applicant has complied, in relation to the proposed application, with its duties under sections 42, 47 and 48 of PA2008 relating to consultation and publicity. I would advise you that, during the pre-application period, you continue make your comments directly to the developer. Please note that the Inspectorate is unable to consider representations about the merits of any application until it is accepted for Examination. If you feel your comments are not being taken into account by the Applicant, may I advise you to write to the relevant local authority, West Sussex County Council/ Arun District Council, and set out why you think the Applicant is failing to conduct its consultation properly. Your comments should be taken into account when the local authority sends the Inspectorate its comments on whether the Applicant has fulfilled its statutory consultation duties. If you have any further queries about the National Infrastructure process there are suite of informative Advice Notes [attachment 1](#) on the National Infrastructure website and the Frequently asked questions page. You may also wish to sign up for case updates on the National Infrastructure project page for Rampion 2 Offshore Wind Farm as whenever anything is published or update on the page, such as an update on the submission date or notes of project update meetings we have with the Applicant you will receive a notification email.

Item 4: On Tue, 17 Aug 2021 at 11:34 PINS > wrote:

Dear Mr Haas and Ms Christensen,

Thank you for your emails dated 5 and 8 August 2021 (attached).

Under the EIA Regulations, the Applicant's Environmental Statement must include "*a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment*". The Planning Inspectorate does not have a remit to exert particular influence on their consideration of alternatives in EIA terms, beyond that which is required as defined above.

There are also references in the [National Policy Statements for Energy Infrastructure](#) EN-1 (Overarching National Policy Statement for Energy) and EN-3 (National Policy Statement for Renewable Energy Infrastructure) about how the Secretary of State will consider alternatives in their decision making.

As part of the Applicant's statutory consultation duty, they are obliged to consult on 'preliminary environmental information' as defined in the EIA Regulations. There is a legal duty on the Applicant to demonstrate that they have had regard to consultation responses received under section 49 of the Planning Act itself. Your consultation response may include information about alternatives to the project, and the best point at which to raise these matters is in response to the Applicant's current formal, statutory consultation (running to 16

September 2021). The Inspectorate would therefore advise you to ensure you submit a response to the current consultation.

One of the principles of the Planning Act 2008 is “front loading” of the process, with the intention that matters such as alternatives that you wish to raise are made to the Applicant in the pre-application period, which they then have regard to in finalising their application (e.g. reasons as to why they are not feasible etc). If an application is accepted for Examination, you (and anyone else) are able to register as an Interested Party and make submissions (having considered the Applicant’s application), and this may include matters relating to alternatives. The Examining Authority then has regard to such submissions in their consideration of the evidence and the case for development consent. Although there is a duty to consider submissions made by Interested Parties, the Examining Authority has discretion as to how they conduct their Examination of the issues, and whether or not/ how they pursue relevant matters raised by Interested Parties.

The Acceptance stage is purely for the Planning Inspectorate, on behalf of the Secretary of State, to decide whether or not the application meets the standards required to be accepted for Examination; in particular, whether the Applicant has met its consultation duties. It does not make any decision on the outcome of the DCO application or the merits of the scheme at this stage, nor is there any opportunity for Interested Parties to make submissions, which comes after any decision to accept an application. However, we will seek the views of the relevant local authorities on the adequacy of the consultation undertaken by the Applicant.

Local Impact Report

Section 60(2)(a) of the Planning Act 2008 states that each local authority that is identified within section 56A of the Planning Act are invited to submit a Local Impact Report. As the boundaries for each scheme differ, we cannot assume that the same local authorities will be identified under section 56A and invited to submit a Local Impact Report. If Adur and Worthing Councils fall within this category they will be invited to submit a Local Impact report at the relevant deadline in the examination, which will be set by the Examining Authority.

We advise all councils to look at [Advice Note One](#) on the Planning Inspectorate’s website, which provides guidance on what to include in a Local Impact Report. Also [Advice Note Two](#), which explains the role of local authorities in the DCO process.

The Planning Inspectorate thanks you for the invitation to observe the public meeting, however, due to resource pressures we are not able to attend and in general, given our quasi-judicial role in the process, we tend not to participate or observe meetings of this nature, to avoid any perception of prejudice.

If you have any further queries please do not hesitate to get in touch.

Kind regards,

Paige
Paige Hanlon
Case Manager – National Infrastructure
National Infrastructure Planning
Direct Line: 0303 444 6776 / 07925357844
Helpline: 0303 444 5000
Email:
<https://infrastructure.planninginspectorate.gov.uk/> (National Infrastructure Planning)
www.gov.uk/government/organisations/planning-inspectorate (The Planning Inspectorate)
Twitter: @PINSgov

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Item 5: Sent: 26 April 2021 16:41

Planning Inspectorate S51 Advice: Ref: EN010117, 23 April 2021.
<https://infrastructure.planninginspectorate.gov.uk/projects/south-east/rampion-2-offshore-wind-farm/?ipcsection=advice&ipcadvic=b4e233abb2>
Pins

Item 6: Sent: 26 April 2021 16:41

To: NI Enquiries <NIEnquiries@planninginspectorate.gov.uk>
Subject: Re: Pre-Application Case Reference EN010117

Dear NE Enquiries,

Kindly forward the attached letter to the attention of:

Mark Wilson BA, DipTRP, MRTPI

Operations Manager - Energy

The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

Kind Regards,

Lawrence Haas and Faye Christensen

Littlehampton, West Sussex

On Behalf of the Members and Committees of:

The Littlehampton East Beach Resident Association (EBRA)

And The Littlehampton Society

The Littlehampton Charter Group

Mark Wilson

Operations Manager – Energy

Planning Inspectorate

Monday 26/04/2021

Subject: Proposed application by Rampion Extension Development Limited for an Order Granting Development Consent for the Rampion 2 Offshore WindFarm: Case Reference: EN010117

Dear Mr. Wilson,

We appreciate the rapid and in-depth response on 23 April 2021 to our community concerns about the timing and nature of formal consultation on the proposed Rampion Windfarm Extension pre-application and the adequacy of the EIA.

We will share your response and advice with the local community here in Littlehampton who now keenly follow this issue, and also pass it on to other interested and affected community organisations along the West Sussex coastline to help raise awareness of the context for what will soon be on their table.

As you can appreciate, our aim is not only to understand the rules of the NSIP process and planning safeguards applicable to this inshore windfarm proposal, but also to understand how planning and environmental safeguards may be interpreted and applied by the Inspectorate in this specific case; thus how we may constructively and effectively get our views across in 2-way conversations at various levels.

We all celebrate renewable energy; though on this pre-application process we further remark:

1. On our request to pause formal pre-application local consultations

While we recognise and respect the Inspectorate's neutral role and decision where, *“The Inspectorate, therefore, respectfully declines your request to ask the Applicant to pause its pre-application consultation”* communities here who would host and live with this infrastructure are disappointed with that response.

We refer to S51 advice the Inspectorate offered the Applicant 19 Oct 2020, “The Inspectorate advised that virtual events are seemingly working successfully on other (NSIP) projects...”, then spoke of public internet access and telephone hotlines.

While we all recognise it's a moving picture, that advice appears to contrast with information contained in the Ministry of Housing, Communities and Local Government's (MHCLG) open call for evidence on the experience of remote meetings in the UK using virtual methods and their effectiveness²⁶ (as in Question 5 and 6 in the call for evidence that highlights concerns similar to ours, if this Applicant relies on virtual modes of pre-

²⁶ <https://www.gov.uk/government/consultations/local-authority-remote-meetings-call-for-evidence/local-authority-remote-meetings-call-for-evidence>

application consultation with local communities).²⁷ The MHCLG call for evidence also notes that experience with remote meetings (and virtual events and consultations) across the UK is varied, and likely to be more appropriate in some circumstances such as for sub-committee meetings of Councils, or where attendees are drawn from a large geographical area.

We certainly agree that life must go on in national planning despite the pandemic. However, we hope the Inspectorate appreciates that we see a fundamental difference between consultation on centuries-old technologies like roads and power stations where issues are understood, and consultations on this novel coastal infrastructure.

From a coastal host community perspective, this infrastructure would be visibly sited inshore (7 nm from shore, inside the 12 nm boundary between inshore and offshore)²⁸ in a populated area reliant on coastal tourism, with the prospect of utility-scale large turbines crowding our highly-valued seascape. Yet direct evidence and the situation on the ground is most coastal residents are not aware of the Rampion 2 proposal; if they are, they are not at all familiar with the scale and proximity issues or the nature of potential impacts. In contrast to other current wind farm applications (Awel Y Mor - EN010112, for example), the Applicant has not provided any visualisations in the scoping report which might have assisted in clarify the scale.

As indicated in previous correspondence, given this situation we wrote to Cabinet heads of our local authorities (Arun District Council and West Sussex County Council) on March 30th 2021 offering community input to their SoCC conversations with the Applicant. We propose to hold community-led public meetings unconstrained by COVID, avoiding virtual meetings which in our experience are wholly inappropriate to meaningfully engage a diverse public in this specific case; and thus a pause to formal consultations was the rational solution.

At the same time, the Applicant respectfully declined to engage in conversations on the merits of a pause, or on their SoCC proposal when approached via the Project Liaison Group which the Applicant had set up for local outreach.

As you advise, we await the outcome of conversations between the Applicant and our local authorities on the community input to the SoCC already offered.

If formal consultations proceed next month (or this spring), when we still cannot hold large public meetings indoors, or meet face-to-face to receive presentations, to examine, debate and discuss what is proposed to transform our situation, then we suggest there is a NSIP planning disconnect to urgently address, namely:

- On the one hand, pre-application consultation guidance issued by MHCLG says:

The Development Consent regime for windfarms (NSIPs) front-loads local community consultations into the pre-application stage “to ensure a more transparent and efficient examination process”;

Meaning local consultations now must be effective and of a high standard; certainly for a proposed inshore windfarm of this scale, proximity and setting;

- On the other hand, as you cited, the Secretary of State MHCLG, 13 May 2020 requested the planning system continue to operate effectively (eminently sensible yes), but “effectively” is the operative word, respectfully in our view.
- Further we have the MHCLG call for evidence on the experience and effectiveness of remote meetings, encompassing virtual consultations, where it says experience across the whole of the UK is varied.

We respectfully maintain that pre-application consultations with local communities on Rampion 2 cannot be effective or “operate effectively” when they are virtual or physically constrained.

Among our next steps are to constructively respond to the open MHCLG call for evidence as an interested party by offering the Rampion 2 pre-application as a documented case study to illustrate local community experience with consultation constraints and evidence of the impact on the adequacy of consultation.

²⁷“There is less opportunity for local residents to speak or ask questions. Meetings are less accessible for local authority members or local residents who are unfamiliar with video conferencing/technology. It is more difficult to provide effective opposition or scrutiny in a remote format”.

²⁸ The Maritime Management Organisation (MMO) defines the inshore / offshore boundary as 12 NM.

We will ask if MHCLG can possibly update or clarify their statement of 13 May 2020;²⁹ in particular, to distinguish between types of NSIP applications and stage in the DCO process that advice on virtual public consultations apply, and to what extent. We would also ask MHCLG if they can clarify what happens when reliance on virtual public consultations compromises their Planning Act 2008: Guidance on the pre-application process consultations, which we assume are still effect.

We hope the Inspectorate appreciates why our coastal communities, who would host and live with this inshore windfarm (as proposed), reject the notion that virtual consultations at this stage are in any way adequate. Clearly they risk public acceptance and even longer delay at latter stages in the DCO process.

2. On the adequacy of considering reasonable alternatives in the EIA/ ES

We will brief community organisations that you kindly advise the EIA Scoping does not need to identify reasonable alternatives or detail the approach on how the Applicant will address them in the full EIA/ES. Nonetheless, as you note, the EIA 2017 Regulations do require the Applicant to identify, describe and compare environmental effects of reasonable alternatives to their proposed scheme.

As noted in previous correspondence that we shared with the Inspectorate and local authorities, community organisations here support the recommendation of Natural England as to which reasonable alternatives should be identified and assessed and thus compared in the EIA and reported in the ES.

As one further point of reference we offer the Barnesmore Wind Farm Repowering³⁰ EIA in Scotland (Dec 2019). While that is Scotland's safeguard regime, we expect the EIA Regulation 2017 in England and Wales has not departed from the standard and otherwise conform to EU EIA Directives³¹ through the end of 2020, i.e.

Chapter 3.3 Alternatives considered..... "The Revised EIA Directive Consultation states that transposition of these provisions are mandatory, and that: "Guidance will be developed on the requirement to study reasonable alternatives, including reference to the fact that some alternatives may already have been studied in relevant SEAs. The guidance will also deal with relevant considerations, including 'do nothing' alternative(s), alternative site(s), alternative design(s) / layout(s), alternative processes(s), alternative mitigation measure(s). Reference will also be made to the requirement that "reasonable alternatives ... relevant to the project and its specific characteristics" are required to be studied".

Thus we sincerely hope Natural England's recommendations are fully adopted by the Applicant in the EIA work now underway.

3. On the matter of conformity with existing 2014 Rampion DCO terms

We do understand and appreciate the Inspectorate has powers to alter any existing DOC terms. Thank you for that clarity. In the Rampion 2 DOC process local communities will seek to understand and have clarified:

- a) The purpose and rationale of the DOC limitations in the first place in 2014, and
- b) What rationale and quantifiable evidence has changed, in terms of adverse visual impacts on our coastline that would warrant relaxing any 2014 terms.

This will be pursued in light of the proposed development that the Applicant offers in the EIA (i.e. size, type, location of the turbines) and via the assessment of reasonable alternatives informed by statutory consultations and the Scoping Opinion.

Again we appreciate the Inspectorate's candid and forthright response to our requests and your views. We look forward to resolution of issues where we may have a different perspective and experience. Nonetheless, you have helped our communities here on the West Sussex coast to better understand the situation and challenges.

With respect and kind regards,

²⁹ . MHCLG statement 13 May 2020 "It is important that the system continues to operate effectively, ensuring that all those involved, including local authorities, the Planning Inspectorate, developers, statutory consultees, local communities and others can engage in the process while adhering to the Government's guidance on social distancing."

³⁰ <https://www.barnesmorewindfarm.com/env.php>

³¹ Where the European Union (Withdrawal Agreement) Act 2020 gives effect to transition arrangements that last until the 31 December 2020. This provides for EU law to be retained as UK law and also brings into effect obligations which may come in to force during the transition period.

Lawrence Haas and Faye Christensen
Littlehampton, West Sussex

On Behalf of the Members and Committees of:
The Littlehampton East Beach Resident Association (EBRA)
And The Littlehampton Society

Item 7: From: **NI Enquiries** <NIEnquiries@planninginspectorate.gov.uk>

Date: Wed, 28 Apr 2021 at 09:07
Subject: RE: Pre-Application Case Reference EN010117
To: Haas, NI Enquiries <NIEnquiries@planninginspectorate.gov.uk>
Cc: Christensen

Dear Mr Haas and Ms Christensen,

Thank you for your reply to my letter of 23 April, which we will add to our records. I note your ongoing concerns about virtual consultation and I think feeding those into the MHCLG call for evidence is a proactive and useful thing to do. I'm sure your perspectives on how the use of virtual consultation methods in the context of the coastal community around the proposed Rampion 2 project will be welcomed.

I'm glad that you found the information I provided helpful to you and your colleagues in EBRA and The Littlehampton Society.

Kind regards
Mark Wilson
Mark Wilson BA, DipTRP, MRTPI
Operations Manager - Energy
The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN
Helpline: 0303 444 5000
Email: NIEnquiries@planninginspectorate.gov.uk
Web: <https://www.gov.uk/government/organisations/planning-inspectorate> (The Planning Inspectorate)
Web: <https://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning)
Twitter: [@PINSGov](https://twitter.com/PINSGov)
This communication does not constitute legal advice.

Item 8

From: **Offshore Energy Strategic Environmental Assessment** <oesea@beis.gov.uk>
Date: Mon, 4 Apr 2022 at 13:05
Subject: RE: OESEA4: On Visual Buffers for Offshore Wind farms
To: Haas and Christensen
Cc: The Littlehampton Society <info@thelittlehamptonsociety.org.uk>, East Beach <eastbeachresass@gmail.com>, Offshore Energy Strategic Environmental Assessment <oesea@beis.gov.uk>

Dear both,

Thank you for your enquiry and we have answered your questions here:-

- *Does the White Report (2020a) remain in effect as part of the BEIS rolling SEA programme?*

The report was commissioned to inform OESEA4 and given the scale of the turbines it covers, is it considered that it will usefully inform the SEA programme for some time. The report is an independent piece of research and is not considered to have a time limited period of currency; it relies on a review of project level assessment outputs, current policy, wireline assessment and other factors affecting visibility which may need to be updated at some point in the future to reflect technology and other advances.

- *Specifically, do the suggested distances for visual buffers in the White Report (2020a) as shown Table 13.4 at the end of this email, remain in effect?*

There have been no updates to the distances in Table 13.4 of the White Consultants (2020a) report since its publication. It is recommended that Table 13.4 be read and interpreted in conjunction with the rest of the report. The table does not reflect universal distances within which wind farms should not be sited, but instead reflects a combination of the review of seascape visual impact assessment and wireline assessment outputs interpreted in relation to current policy for the protection of different landscape designations, providing a generic level of guidance on the possible range of distances within which such landscapes may be affected.

Kind regards,

Policy & Corporate Governance Unit
Offshore Petroleum Regulator for Environment and Decommissioning
Department for Business, Energy and Industrial Strategy
3rd Floor, AB1 Building (Wing C), Crimon Place, Aberdeen, AB10 1BJ

From: Haas and Christensen

Sent: 18 March 2022 17:40

To: Offshore Energy Strategic Environmental Assessment <oesea@beis.gov.uk>

Cc: Faye Christensen ; The Littlehampton Society <info@thelittlehamptonsociety.org.uk>; East Beach <eastbeachresass@gmail.com>

Subject: OESEA4: On Visual Buffers for Offshore Wind farms

Policy & Corporate Governance Unit
Offshore Petroleum Regulator for Environment and Decommissioning
Department for Business, Energy and Industrial Strategy
oesea@beis.gov.uk

Dear BEIS,

We responded to the public consultation on OESEA4 last year. Thank you for notifying us that it was published yesterday.

OESEA4 makes considerable reference to the White Report (2020a) in Section 5.8 Landscape / Seascape as the basis to consider visual buffers for UK offshore wind farms that are proposed within a viewable distance of the coast.

May we ask:

- Does the White Report (2020a) remain in effect as part of the BEIS rolling SEA programme?
- Specifically, do the suggested distances for visual buffers in the White Report (2020a) as shown Table 13.4 at the end of this email, remain in effect?

Our observation is nothing in OESEA4 actually contradicts them.

As coastal communities we would value that confirmation / clarification to inform ongoing discussions with our local authorities and MPs on responses to the Rampion 2 windfarm pre-application consultation taking place here on the south coast.

We do recognise that the Examination Authority ultimately forms a view on buffers, as the OESEA rolling programme offers strategic guidance and advice in that regard, not regulations.

Because the Rampion 2 consultation closes 11 April 2022, a prompt response would be very much appreciated.

Thank you kindly.

Sincerely
Lawrence Haas and Faye Christensen
Littlehampton

Members of and in conversation with the Officers and Committees of:
The Littlehampton East Beach Resident Association (EBRA)
The Littlehampton Society, and
Protect Coastal Sussex

CC: The Rt Hon Nick Gibb, MP (Bognor Regis and Littlehampton)

From the White Consultants (2020a): Review and Update of Seascape and Visual Buffer study for Offshore Wind farms Final Report for BEIS, 121 pp + appendices. Table 13.4 page 116

Table 13.4 - Possible range of buffers for single offshore developments

	Value to seascape	Potential sensitivity	Suggested distances for buffers						Notes
			107-145m turbine 3.6MW	146-175m turbine 5MW	176-224m turbine 7.8MW	225-300m turbine 15MW	301-350m turbine 20MW	351-400m turbine 20MW+	
National Parks and AONBs with coastal special qualities- often characterised by presence of Heritage Coast designation. Multiple statutory landscape designations.	Very High	Very High	34km	34km	34km	40km	40km	40km	Based primarily on limit of visual significance
National Parks (England and Wales) AONBs World Heritage Sites (Landscape based- e.g. Dorset and East Devon Coast)	Very High	High	19km	22km	26km	39km	40km	40km	Based primarily on SVIA 2019 analysis with wireline analysis and limit of visual significance for larger turbines
Heritage Coasts National Trails	High	Medium/ high and high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers
World Heritage Sites (e.g. coastal castles, forts and ancient sites) Landscapes of Outstanding and Special Historic Interest (Wales) Large SAMs Historic Parks and Gardens	Medium- high	Medium and medium/ high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers

From: Haas
Sent: 07 May 2021 16:50
To: Offshore Energy Strategic Environmental Assessment <osea@beis.gov.uk>
Cc: East Beach <eastbeachresass@gmail.com>; The Littlehampton Society <info@thelittlehamptonsociety.org.uk>
Subject: OESEA4 Scoping Consultation Input

Dear OESEA4 Team,

Kindly find attached our submission to the Offshore Energy Strategic Environment Assessment (OESEA4) scoping consultation.

We are community groups in coastal West Sussex. We offer reasons with evidence why it is important for OESEA4 to offer hard limits or guidelines relating to:

- **Windfarm Visibility and Visual Impact Threshold Distances, and**
- **Offshore / Inshore Windfarm location definitions used by various Authorities**

May we also add, many Parish and Town Councils in coastal West Sussex have an interest in your work, but have been unable to make a submission by the 7 May deadline due to the local elections yesterday as councillors were in purdah.

If you do receive late submissions beyond today's deadline, we hope you can include them as input.

Yours Sincerely,

Lawrence Haas and Faye Christensen

On Behalf of the Community Organisation Members and the Committees of:
The Littlehampton East Beach Resident Association (EBRA)
And The Littlehampton Society

ATTACHMENTS - PART B (Previously shared)

Include here for completeness, relevance and convenience:

Attachment B1: Littlehampton CSO's OPEN LETTER on Adequacy of Consultations (shared 3 Feb 2022 - on 2021 Consultations)

Attachment B2: Summary Report on the Littlehampton Community-Led Meeting 24th August 2021 as the first Statutory Consultation response

Attachment B3: Main Report on the Littlehampton Community-Led Meeting 24th August 2021 as the first Statutory Consultation response

Attachment B1: Littlehampton CSO's OPEN LETTER on Adequacy of Consultations (shared 3 Feb 2022 - on 2021 Consultations)

Contents:

Item 1. Covering email to ADC and WSCC

Item 2. Open Letter with Attachments

Arun District Council

James Hassett, Interim Chief Executive
Neil Crowther, Group Head of Planning
Karl Roberts, Director of Place
Councillor Shaun Gunner, Council Leader

West Sussex County Council

Mike Elkington, Head of Planning Services
Councillor Deborah Urquhart, Cabinet Member for Environment and Climate Change
Councillor Paul Marshall, Council Leader and Cabinet Chairman

3 February 2022

Subject: Representation from Littlehampton residents on the adequacy of pre-application consultations on the proposed Rampion 2 windfarm development on the Sussex Coast

Dear Councillors and Officers,

We believe the pre-application consultations on the proposed Rampion 2 windfarm scheme were not adequate due to the concerns and evidence offered herein.

As residents and members of community organisations in Littlehampton, a major host community on the Sussex Coast to be directly impacted for several decades, our view is the developer-led consultations must be repeated, but only after being uplifted to the standards set out in the relevant Government guidance, where no restrictions are applied to social gatherings, public meetings and events.

We draw your attention to documented failure of the Applicant to complete specific procedures in the Statement of Community Consultations (SoCC) during the formal consultations 14 July to 16 September 2021 in the attachments. And we refer to other aspects that we believe fall far short of published standards and good practice, namely that:

“Effective pre-application consultation will lead to applications which are better developed and better understood by the public, and in which the important issues have been articulated and considered as far as possible in advance of submission of the application to the Secretary of State”. (MHCLG, 2015)

Experience on the ground in Littlehampton as in other coastal towns is that host community engagements by the Applicant were not thorough, accessible, nor effective conducted with virtual methods of consultation and engagement.

Post-consultation canvassing of community organisations by members of Protect Coastal Sussex and others reveal that many people did not understand what the developer proposed, nor were they able to

cope with and digest the large volumes of on-line information to enable them to offer informed comment and feedback.³² Similarly, it is documented that many elected councillors still do not appreciate what is proposed in the PEIR.

Among the general concerns is the virtual / digital-only consultation approach failed to respect inclusiveness and equality. Many residents of all ages have no capacity to access computers, let alone the internet, or to navigate the massive on-line data bases and consultation response forms needed to participate, and “have their say”.

Many important and contentious issues still need a proper airing and discussion within the community to better inform what the RWE conglomerate should take into account to balance our interest in sustainable development and respect for safeguards with the developer’s own commercial preferences.³³

We respectfully seek the Council’s support to argue in their Adequacy of Consultation representations that:

1. The pre-application consultations on Rampion 2 are inadequate due to the combination of multiple specific documented failures to comply with the statutory Statement of Community Consultation (SoCC), and several general, but equally significant failures to meet UK Government standards for pre-application consultations (as elaborated in the attachments with evidence).
2. The Applicant is thus invited to repeat the formal consultations on Rampion 2 in a timely manner in 2022, but only after undertaking reasonable improvements to the information offered to consult on and uplifting the consultation methods to Government for pre-application standards with no restrictions on meetings and events.

Improvements may include, but should not be limited to:

- a) Preparing and offering proper visual animations of turbine arrays seen from key vantage points including the shoreline (day and night) to enable people to better understand and appreciate the changes in seascape and visual amenity.

These animations would supplement the static representations that the Applicant offered in the PEIR which do not meet standards for “Visual Representation of Wind farms” as cited, or provide a realistic indication of what a large wind farm extending along the Sussex Coast may look like. They are not adequate for residents to appreciate the sheer scale, expanse and significance of impacts.

Quality animations produced by Protect Coastal England available online offer a benchmark for the Applicant to match and pro-actively incorporate.

- b) Modifying the Coastal Zone 3 criterion in the SoCC that calls for the Applicant to mail consultation notices to all residents and groups of people along the Coast with properties within 100m from the sea to alert them to the consultation.

The Coastal Zone 3 distance should be increased appropriately in consultation with local authorities to reasonably include all properties with a clear line of sight to the proposed turbine arrays, whose beneficial enjoyment of the natural seascape will be permanently transformed.

³² For example, The Littlehampton Society survey of members and interviews conducted by Protect Coastal Sussex (PCS) contacting Parish councils and community groups along the Sussex Coast.

³³ That requires genuine 2-way face-to-face consultations without Residents of all ages having to wade through on-line reports too extensive to print, or sit in front of computer screens to hear scripted remote explanations on Zoom, or to stream promotional videos that only downplay the significance of the extensive transformations of the Sussex coast that Rampion 2 actually proposes.

Moreover, the arbitrary 100m criterion currently excludes all Littlehampton residents despite its open sea views where many enjoy an unobstructed natural seascape not only from their homes, but as they go about their daily lives.³⁴

Significantly, the 100m criterion excludes all north-south running streets along the Sussex Coast where residents will have either full or partial views of the proposed large Rampion 2 turbine arrays, day and night.

- c) Instead of the PEIR Desk Study citing dated research and reports that go back almost two decades, the Applicant must offer current evidence and examples of windfarms near populous coastal communities to justify (or withdraw) the highly subjective hypothesis and conclusions in the consultation documents that state:

“Overall, the evidence (in the UK and internationally) suggests that offshore wind farm developments generate very limited, or no negative impact on tourist and recreational users during the construction and operation and maintenance phases.”

In reality, natural seascapes have influenced why many residents chose to move to, or remain on the Sussex coast and raise families or retire. Seascapes and visual amenities are also an integral part of efforts to grow the coastal tourism economy. Safeguards such as visual buffers for windfarms exist for that very reason.

- d) Offering other reasonable improvements to the PEIR to support the consultation, or to address concerns with the SoCC that local authorities or community organisations may identify during the Acceptance stage, as agreed by the Planning Inspectorate (PINS).
3. Lastly, that ADC and WSCC Officers explicitly reference all community representations to them on the adequacy of consultations when they draft adequacy representations Councils are to make on behalf of the residents of host communities.

The aim is to better inform the Planning Inspectorate’s decision on whether to accept Rampion 2 for Examination if and when applied for, or whether, as the current evidence indicates, the consultation should be uplifted and repeated with improvements.

Everyone appreciates that Covid-19 restrictions adversely affected the Applicant’s pre-application PEIR work on which the consultations were based. For instance, it appears that no resident or visitor surveys were undertaken to solicit opinions of different groups of people (residents and visitors), which normally would be done.

Equally, it cannot be reasonably argued that COVID restrictions did not affect the degree of scrutiny of the Applicant’s proposals, or the modes of community consultation that the Applicant chose (i.e. proceeding with virtual and digital engagements only and not accommodating changes in social distancing guidelines as provided in the SoCC). Excluding the whole of Littlehampton from the Coastal Zone 3 designation despite its open seafront and value for residents and many visitors must have been an oversight.

Nonetheless, we cannot accept that host communities should be forced to graciously bow to and accept below-standard consultations for any reason.

Not only considering what is at stake for those who alone will bear local harms from the permanent transformation of the natural Sussex seascape and coast (e.g., socio-economic, cultural, wellbeing and ecological impacts), but fundamentally because the Development Consent (DCO) regime specifically front-loads community consultations into the pre-application stage **“to ensure a more transparent and efficient examination process”**.

³⁴ The closest residential properties start 145m from the Littlehampton promenade.

Having been through this “consultation experiment”, which in our view challenges all notions of transparency (as documented in the Attachments to this Open Letter) we now respectfully call for our elected Councils and Officers to give weight to the views of a growing and significant number of residents and speak up on these matters, on our behalf.

This applies not only to the Council’s adequacy of consultation representation to be submitted at the Acceptance stage, but also to the Council’s Local Impact Report (LIR) now in progress to be submitted at the Examination Stage (we can only assume that our Councils are respecting the PINS Advisory Note 1 on LIRs³⁵ that urge Councils to start that work during the pre-application, based on a clear terms of reference).

We sincerely hope that Council Leadership and Members of their planning committees and advisory groups are fully apprised of community representations on these matters.

Should Council Officers or Leaders be available, we are happy to meet as mutually convenient to discuss the Council’s response. In the meantime, we will share this Open Letter with other coastal communities and encourage them to similarly contact ADC, WSCC and the Planning Inspectorate to convey their views.

Respectfully,

Lawrence Haas and Faye Christensen
Littlehampton Residents

Members of The East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>
Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>
Protect Coastal Sussex (PCS), an affiliate of Protect Coastal England (PCE)
www.protectcoastalengland.org

In conversation with Officers and Committees of the above mentioned organisations

cc: Hon Nick Gibb, MP for Bognor Regis and Littlehampton
cc: Cllr Jill Long, Littlehampton Mayor
cc: Protect Coastal Sussex, Dr Colin Hayes
cc: Protect Coastal England, Dr Colin Ross
cc: East Beach Resident Organisation
cc: The Littlehampton Society

Item 2

Open Letter Attachments and Supporting Documentation

This Representation by Littlehampton residents offers background information and compiled evidence on the adequacy of consultations on the Rampion 2 windfarm and consequent need to repeat them after being uplifted to the standards in the relevant Government guidance, with no restrictions on meetings or events (MHCLG, 2015).³⁶

³⁵ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-one-local-impact-reports/>

³⁶ Planning Act 2008: Guidance on the Pre-application process for nationally significant infrastructure projects published by the former Department for Communities and Local Government (MHCLG, March 2015) [Guidance | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#)

Attachments to this Letter

Attachment 1:

Summary of evidence supporting host community organisation concerns of the adequacy of Rampion 2 Windfarm pre-application consultations

Attachment 2:

Documented evidence of failure to notify all persons or groups whose property is within 100m of the coastline (Coastal Zone 3) in the Rampion 2 Windfarm SoCC

Attachments as Supporting Documents

Documents noted below were previously circulated to the Applicant, Councils and the Planning Inspectorate. They form part of the background evidence of the (non) adequacy of consultations and the proposed resolutions in this Open Letter.

Should people ask we will re-send them.

Attachment 3:

Littlehampton Community-led Public Meeting on the propose Rampion 2 Coastal Windfarm Development. Summary Outcome and Main Outcome Reports, Sept 14, 2021

Submitted to the Applicant to document community concerns and interactions with the Applicant prior to and during the 24 Aug 2021 Littlehampton Public Meeting.

Attachment 4:

Submission to the open consultation of the Local Government Stewardship Division, Ministry of Housing, Communities and Local Government (MHCLG), 17 June 2021

Evidence in this 17 June 2021 submission relates to the Rampion 2 windfarm pre-application activities including the informal consultation in Jan-Feb 2021 and email engagements of Littlehampton community organisations with the Applicant, Cllrs and Council Officers and Planning Inspectorate officials during COVID-19 restrictions throughout 2020-2021, leading up to formal consultations.

Attachment 1 (to the Open Letter)

Summary of evidence supporting host community organisation concerns of the adequacy of Rampion 2 Windfarm pre-Application consultations

Concerns are summarised in six areas as follows:

1. Failure of the Applicant to directly notify all people and groups with property in the Coastal Area (Zone 3, 100m from the coastline) about the consultation by mail, as provided in the Applicant's statutory Statement of Community Consultation (SoCC); compounded by failure to be inclusive in defining Coastal Area Zone 3.
2. Failure of the Applicant to react to evolving social distancing guidelines and adapt their consultation approach, as specified in the statutory SoCC; compounded by documented reluctance of the Applicant to cooperate in good faith with host community initiatives that did.
3. The absence of visual animations and adequate static representations of turbines in virtual engagements, and in on-line videos and the PEIR offered as a basis for consultations; compounded by the failure to meet standards for "Visual Representation of Wind farms" (SNH, 2017) which the Applicant says were followed.
4. Misrepresentation by the Applicant in public consultation meetings on whether the Rampion 2 scheme presented in the PEIR conforms to strategic advice and safeguards for visual buffers provided in the government's own rolling Offshore Energy Strategic Environment Assessment programme (OESEA).
5. Offering a narrow socioeconomic Desk Study on which consultations were framed using selected out-of-date research studies on attitudes to windfarms, instead of undertaking actual resident and visitor surveys; compounded by offering comparisons with two existing windfarms of a completely different scale and nature to claim they verify a Desk Study hypothesis that Rampion 2 has no impacts (negligible) on residents and visitors.
6. General failure to meet the standards of consultation envisaged in the relevant government guidance (MHCLG, 2015) in this experiment with virtual / digital only community consultation, given the DCO regime front-loads consultations into the pre-application stage "to ensure a more transparent and efficient examination process".

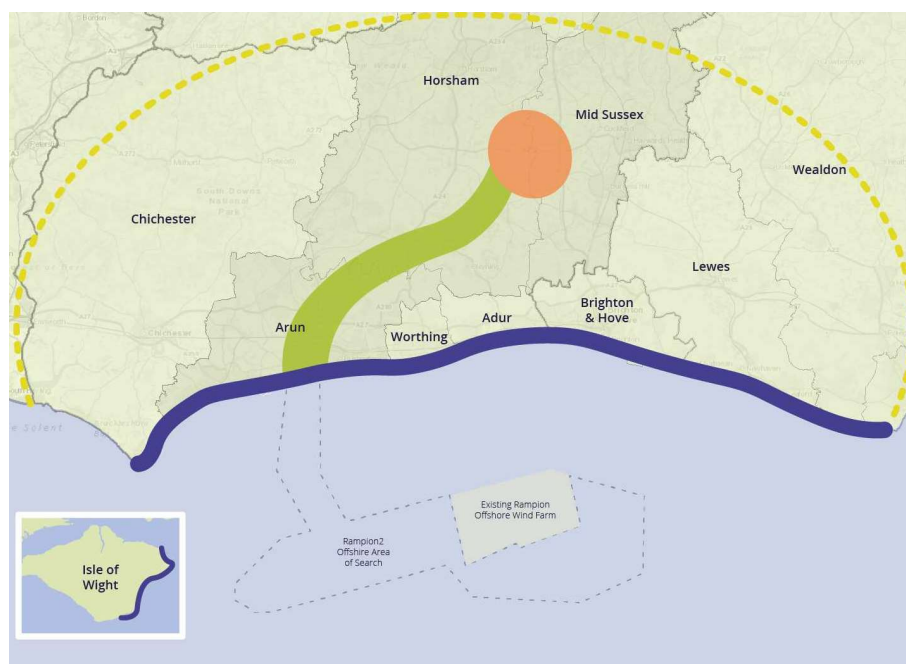
This includes failure of virtual and digital only modes of consultation to respect inclusiveness and equality, as many people have no capacity to access computers or the internet, or navigate the on-line data bases and consultation response forms.

These are elaborated in turn in the following, referencing the evidence.

1. **Failure of the Applicant to directly notify all people and groups of people with property in the Coastal Area (Zone 3, 100m from the coastline) about the consultation by mail, as provided in the Applicant’s statutory “Statement of Community Consultation” (SoCC); compounded by failure to be inclusive in defining Coastal Area Zone 3.**

We fully agree with the Applicant’s assertion that all coastal residents who enjoy direct natural sea views from their properties and as they go about their daily lives must be directly notified of the consultation. Many residents link their decision to move to, or remain on the South coast to what the natural sea coast offers them, in terms of family activities, livelihoods, health and wellbeing.

Firstly, there is a documented failure to provide consultation notice leaflets in several locations along Coastal Zone 3 between Beachy Head and Selsey Bill and the eastern coast of the Isle of Wight. See the figure below from the Applicant’s SoCC.³⁷ (the blue line)



Please also see Attachment 2 for evidence assembled to show the nature of these SoCC failings in Middleton-on-Sea and elsewhere in Zone 3 along the Sussex coast, including failure to rectify the problem when brought to the Applicant’s attention.

As one consequence, many Residents in Zone 3 were not made aware of the proposed scheme, or otherwise were not alerted sufficiently to pay attention to the scale and significance of the proposed transformation of their natural seascape.

Secondly, while this statutory failure cannot be dismissed lightly, a far greater number of Sussex Coast residents with properties just beyond the arbitrary criterion of 100m from the shore, but living on open seafronts with unobstructed views, would face similar impacts and loss of opportunity to engage statutory consultations, to thus have their say.

Hence, we urge that the pre-application consultations be repeated with an improved SoCC that increases Coastal Zone 3 to a meaningful distance (at least doubling it to 200m). We urge Local Authorities to give weight to resident’s concerns in this regard and pay particular attention to this criterion when the improved SoCC is offered (hopefully) by the Applicant to repeat the consultations in 2022.

³⁷ Figure 4 from of the Applicants SoCC (June 2021) “Our methods for promoting consultation”

Attachment 2 notes this specific concern was raised directly with the Applicant during a formal consultation session in Middleton-on-Sea 25th August 2021 where residents attended in-person and the Applicant’s marketing team attended virtually.

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As mentioned in the covering Letter, the arbitrary selection of 100m as the Zone 3 criterion automatically excluded all Littlehampton residents, even though they live on an open seafront, many with unobstructed views of where the proposed industrial power park would transform the natural seascape. The closest properties in Littlehampton start 145m from the seafront Promenade.

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We believe that repeating the consultation to standards and outcomes envisaged in relevant Government guidelines serves all interests. It will go a long way to increase community awareness and understanding of the Rampion 2 scheme and thus improve the consultation effectiveness and allow more informed feedback; hence improve public confidence in outcomes.

2. Failure of the Applicant to react to evolving social distancing guidelines and adapt their consultation approach as specified in the SoCC; compounded by documented reluctance of the Applicant to cooperate in good faith with host community initiatives that did.

Indeed what Littlehampton community organisations experienced was the Applicant’s repeated reluctance to tailor and adapt their consultation approach to changing social distancing guidelines after Govt lifted restrictions on indoor face-to-face meetings.

This refers to the SoCC statement issued 6 June 2021, “*However, we will give consideration to small-scale, in-person, outdoor meetings and community engagement methods having regard to the latest advice and guidance from Government regarding Covid-19 and safe working practices.*”

No such undertakings were offered by the Applicant to accommodate either outdoor or indoor consultation meetings or adjust community engagement methods in Littlehampton, or elsewhere on the Sussex Coast or Isle of Wight, to our knowledge.

Instead the experience of Littlehampton organisations who in good-faith invited the Applicant to participate in a community organised public meeting was disappointing, as the Applicant adopted a cat-and-mouse approach to community attempts to react to evolving social distancing guidelines.

This is noted in the Summary and Main Outcome Reports on the Littlehampton Public Meeting submitted to the Applicant as formal consultation input in September 2021 (see Attachment 3). The Summary Report refers to invitations starting more than 6 weeks prior that were declined or put off by the Applicant, then suddenly the day before the meeting the Applicant insisted on participating and essentially taking over the meeting agenda (declining to participate of course was the Applicant’s prerogative).

The footnote below illustrates the challenge the community faced in this respect.³⁸

³⁸ Specifically what we experienced attempting to welcome the Applicant’s participation in a Community-led public meeting during the formal consultation to respond to evolving social distancing guidance was:

- 8 July: An email was sent by the Littlehampton Society representative on the Rampion 2 Community Project Liaison Group (PLG) to officially invite the Applicant’s Stakeholder manager and PR manager to

Having no clear response from the Applicant in successive interactions, community organisations made arrangements to invite and accommodate up to 80 participants. A 3-part meeting was arranged where: Part 1 started with streaming the Rampion 2 Stakeholder Manager’s online video presentation from their consultation website, this followed by three professional speakers; Part 2 was to be an open Q&A session, and; Part 3 was for public statements including those from area MPs and for participants to propose and consider resolutions to inform their input to subsequent DCO process steps.^{39, 40}

The Applicant’s sudden “epiphany” in recognizing the value of community-led Public meetings was welcomed. Their late participation was accommodated (virtually as the Applicant required); though it was hugely disappointing to hear the Applicant’s speakers start off complaining openly about the meeting structure and approach and their time allocation to the 80 participants assembled in-person, including community representatives and Councillors at all levels from along the Sussex Coast.

The community-led public meeting was a practical step, not only to complement the Applicant-led consultation activities recognising the clear limitations of their virtual /digital only engagements that they preferred, even after social distancing restrictions were lifted, but more fundamentally to escape the single narrative of tightly controlled virtual-only consultation managed as a marketing opportunity.

It was a citizen initiative with the ambition to help achieve the level of transparency and scrutiny envisaged in the pre-consultation guidelines (MHCLG, 2015), which of course did not anticipate any COVID-type restrictions, or clinging to them past their expiry date.

24th Sept Community-led Public Meeting⁴¹ on the Rampion 2 proposal in the New Millennium Chamber in the Littlehampton Town Council property

be a part of the Public Consultation meeting provisionally on 24 Aug 2021. This was also after being asked by the Applicant to suggest venues for public meetings in Littlehampton.

- 21 July: After no answer, RWE was asked again officially via the PLG Zoom meeting. The Applicant said they'd look into it, but because of restrictions they would be limited to virtual participation.
- 23 July: An email response was received from the Stakeholder manager via email saying they were no longer available on 24th Aug, but could do the 8, 9 or 10th September.
- 31 July: We asked them to choose which day (8, 9 or 10th September) they prefer, as we would shift the meeting from the 24th Aug to accommodate them, even though it was near the close of the consultation (16th Sept) which thus limited time to prepare Meeting Outcome Reports.
- 31 July: An automatic reply said that the Stakeholder Manager was on holiday.
- 2 Aug: Asked the Rampion PR manager that our message 31 July get to the relevant Rampion 2 team members, who confirmed that it would. Having no response thereafter we continued with arrangements for the 24th to accommodate up to 80 participants and arranged a 3-part meeting.
- 23 Aug: in the afternoon, the day before the meeting, the Applicant telephoned to say they wanted time to do their full virtual presentation (which would eliminate other presentations) and take the Q&A.

³⁹ The Rampion 2 team already controlled all stakeholder interactions in virtual presentations during all pre-application activities, including virtual meetings with the statutory consultees.

⁴⁰ After Rampion had declined to participate in the Littlehampton Community-led meeting, the intention was to stream the video available on the Rampion 2 website followed by a presentation on the technical interpretation of the proposed development as presented in the Applicant’s Preliminary Environment Impact Report (PEIR). As it turned out on the day, after welcome remarks the Rampion 2 Team was invited to present live (virtually) to the in-person meeting; which they did along the lines of the video and material on their website and most of the Q&A focused on questions from the in-person audience to them.

⁴¹ Equally disappointing was that some elected Councillors took to social media to echo the Applicant’s complaint; which was disappointing, considering that the Public meeting 24th August was regarded by most as being highly informative highly successful in raising key questions and issues not raised in Applicant-led engagements (see Attachment 3). The very rationale of Community-led Public Meetings is a more open and less scripted exchange of information and views, with 2-way dialogue not controlled and managed as a marketing opportunity by the Applicant permitted to use a virtual only consultation platform.



Photo Courtesy of Sam Morton

While no explanation was offered for the merry-go-round delays in committing to virtual participation, only to jump on the opportunity late in the day before the planned event, we very much welcome the opportunity to have the Applicant participate in a proper 2-way conversation when the Rampion 2 pre-application consultations are uplifted and resumed on a non-virtual basis in 2022 (hopefully).

Though we ask again, as we asked in March 2021 in our representation, “Community Input to the SoCC” offered to ADC / WSCC to include in the conversations with the Applicant on the draft SoCC (we could not see) and to the Applicant directly, that this time the Applicant explicitly incorporates a Littlehampton community-led public consultation meeting in the uplifted SoCC.

And thus the Applicant pays for the preparation and venue, rather than local residents doing all the heavy lifting and fundraising in order to be offered consultations that host communities are entitled to and which Government guidelines promise. (see Community input to the SoCC in Attachment 4, Annexes).

3. The absence of visual animations and adequate static representations of turbines in virtual engagements, in on-line videos and in the PEIR offered as a basis for consultation; compounded by failure to meet standards for “Visual Representation of Wind farms” (SNH, 2017) which the Applicant says were followed.

The static visual representations of turbines offered by the Applicant were buried in volumes of the PEIR (Volume 16 and Volume 18), and otherwise not highlighted in any meaningful way in the Applicant’s Zoom consultations or web videos.

As one consequence, the PEIR on which the consultation was framed fails to provide a realistic indication of what a large wind farm extending along the Sussex Coast may look like to thus enable residents to appreciate the sheer scale, expanse and significance, or for residents and all interested parties to compare that visual representation with their memory of the existing and far smaller Rampion 1 installation.

As mentioned in the Open Letter, the visual animations produced by Protect Coastal England available online set a good benchmark for the Applicant to match and incorporate in consultation

that should follow in 2022.⁴² They are not referred to by the applicant or by Councils or in local media.

Plus it begs the question of why realistic animations were not offered by the Applicant, or required by Authorities, or why the absence of visual animations was not picked up by Councils who had sight of the draft SoCC and other PEIR methodology material (not available to the public), this also considering that the same critique of inadequate visual representations was made on the Navitus Bay WindPark Application by Councils, on a project that was refused consent in 2015.

A further adequacy failure is the Applicant states in the PEIR⁴³ that they have followed the accepted standards for “Visual Representation of Wind farms” (SNH, 2017) to generate their Rampion 2 consultation materials. So it is a PEIR adequacy failure as well as a consultation adequacy failure.

The SNH guidelines actually state:⁴⁴

To form the best impression of the impacts of the wind farm proposal images are best viewed at the viewpoint location shown, and moreover:

- “The images must be printed at the right size to be viewed properly (260mm by 820mm);”
- “You should hold the images flat at a comfortable arm’s length. If viewing these images on a wall or board at an exhibition, you should stand at arm’s length from the image presented to gain the best impression.
- It is preferable to view printed images rather than view images on screen (virtual consultations force people to use a screen).
- If you do view images on screen you should do so using a normal PC screen with the image enlarged to the full screen height to give a realistic impression. Do not use a tablet or other device with a smaller screen to view the visualisations described in this guidance.”
- Viewing instructions are to be provided on every image to minimise the risk of images being viewed incorrectly on screen, and every photomontage should contain the following instruction: “View flat at a comfortable arm’s length. If viewing this image on a screen, enlarge to full screen height”. The correct paper size and image size should also be provided.

In fact, during the consultation the Applicant did not provide printed copies of the visualisations. When a request was made for printed copies at the right scale, the Applicant responded that the PEIR was available to be viewed on-line only.⁴⁵

While the requirement for printed copies may have been relaxed due to COVID restrictions, the need to present the visualisations at the right scale to allow them to be appreciated remains. Visualisations in the PEIR also do not have viewing instructions on every image as recommended in the standards the cited as following.

These aspects further illustrate failures of the implementation of the pre-application consultation

⁴² <https://www.protectcoastalengland.org/windfarm-animations/>

⁴³ on page 139 Chapter 16 of the PEIR

⁴⁴ Page 46, Scottish Natural Heritage, Visual Representation of Wind Farms, Guidance, Version 2.2 February 2017

⁴⁵ By email on 16th September 2021 the Applicant noted “In publicising the consultation documents we have complied with the requirements in Regulation 4 of the Infrastructure Planning (Applications: Prescribed Forms and Precedents) Regulations 2009. These were revised in response to the pandemic to replace the previous requirement to place physical copies of the documents in specified locations with publication on a website. In accordance with these requirements, the Preliminary Environmental Information Report (PEIR) has been made available for inspection on the project website and the website address included within our publicity on the consultation.”

on Rampion 2; and more generally the inadequacy of virtual/digital-only consultations going forward, especially on windfarms like Rampion 2 sited inshore close to populous coastal areas where visual buffer distances contained in the Government's own strategic environmental assessment advice are not respected.

4. Misrepresentation by the Applicant in public consultation meetings on whether the Rampion 2 scheme presented in the PEIR conforms to strategic advice and safeguards for visual buffers provided in the government's own rolling Offshore Energy Strategic Environment Assessment programme (OESEA).

This concern was highlighted in the Q&A debate in the Community-led public meeting on 24th August in Littlehampton (See Attachment 3).

It runs to the heart of concerns as to whether very large present-day turbines so close to populous coasts can be consented, or not. This in the sense of who and what are regarded as highly sensitive visual receptors, and more fundamentally whether the Government's strategic OESEA safeguards have any meaning. Or they can be disregarded easily, or negotiated away to leave coastal communities with no safeguard protection at all.

Please see the Main Outcome Report of the Community-led Public Meeting in Littlehampton 24th Aug (under Section 2, Highlights of Discussions) as Attachment 3. That refers to the Applicant's statements in the Q&A session in response to participants' questions. The Applicant also disputed the statement to the meeting made by the Rt. Hon Nick Gibb that Rampion 2 did not conform to the Government's own OESEA advice.

The specific issue is whether the OESEA advice on visual buffers applies to Rampion 2, or more precisely, at what stage in the offshore windfarm bid process and the subsequent Development Consent Order process OESEA advice is applied.

This footnote elaborates the concern and confusion, misinformation, or misdirection depending on how people wish to characterise things.⁴⁶

It is important to note also that the Rampion 2 PEIR classifies Zone 3 residents, visitors and seaside tourism offers as highly sensitive visual receptors, with high sensitivity to change in the seascape and visual amenity due to the proposed offshore elements of Rampion 2 and significant (major) residual impacts (PEIR Chapter 16, Table 16-31) .

But the PEIR (in Chapter 18, Socio-economics) then goes on to dismiss impacts with the arguments noted in Point 5 of this Attachment which follows (i.e., there was no sensitivity to long term changes in seascape and visual amenity based on their hypothetical Desk Study).

Zone 3 residents obviously have unobstructed views of the natural seascape not only in their residences but also as they pursue their daily lives, as do seaside tourists. Many certainly do highly value the seascape and are sensitive to change.

⁴⁶ In the public meeting 24th Aug 2021 the Rampion team argued that Crown Estates would not have auctioned the Rampion 2 site to the highest bidder and that statutory consultees like Natural England would have raised concerns if there were a conflict with policy. Thus they argued Rampion 2 has "a pass" as far as regulations and OESEA guideline compliance is concerned. In fact, when questioned after the Littlehampton meeting, Crown Estates states it is responsible for leasing areas of the seabed but is not responsible for designs or compliance (e.g. layout in the lease award area, size and number of turbines). In the DCO process only at the Examination stage are those aspects considered. It is up to the developer to follow relevant guidelines in their pre-application design. The Examination Authority appointed for Rampion 2 will thus take a view on whether available strategic advice in OESEA needs to be fully respected, or relaxed. In the case of the Navitus Bay WindPark Application that was refused in 2015 with 210m tall turbines (being smaller in scale than Rampion 2, subtending half the horizontal spread and Rampion 2 but being of similar distance inshore as Rampion 2) the Examination Authority decided the OESEA strategic advice in place at that time (OESEA2) should be respected.

Thus arguments of being overlooked by a “degraded” coastal urbanisation used to dismiss the relevance of OESEA safeguards do not apply, as done on the Rampion 1 project, to justify relaxing the OESEA2 safeguards in place at the time. Rampion 2 is an entirely different scale and will have an assortment of visual, socio-economic and ecological impacts far greater in scope and significance than Rampion 1, and is closer to the Navitus Bay Windfarm situation as regard to consequences of adverse impacts.

A further consultation concern is that unresolved confusion (or misinformation) arising from Applicant’s statements in the public consultations undermines community understanding of sustainability safeguards and the role of the OESEA.

That confusion serves to misdirect community initiatives, enquiry and consultation discussions away from impacts of the visual transformation of the natural seascape with large turbines sited in close proximity to the shore (with associated local community and ecological harm) and how to host communities engage the DCO process to address the clear concerns they raise in this regard. Equally concerning is if the same misunderstandings / misinformation are communicated in public consultation meetings along the Sussex coast (unmonitored and unchallenged in virtual consultations).

The current visual buffers incorporated in the OESEA programme are provided in the on the table below from the studies the Department of Business, Energy and Industrial Strategy commissioned (White Report, 2020). As can be seen for the Rampion 2 Turbines as presented in the PEIR and anything above 225m it is 40km (25 miles).

Table 13.4 – Possible range of buffers for single offshore developments

	Value to seascape	Potential sensitivity	Suggested distances for buffers						Notes
			107-145m turbine 3.6MW	146-175m turbine 5MW	176-224m turbine 7/8MW	225-300m turbine 15MW	301-350m turbine 20MW	351-400m turbine 20MW+	
National Parks and AONBs with coastal special qualities- often characterised by presence of Heritage Coast designation, Multiple statutory landscape designations,	Very High	Very High	34km	34km	34km	40km	40km	40km	Based primarily on limit of visual significance
National Parks (England and Wales) AONBs World Heritage Sites (Landscape based- e.g. Dorset and East Devon Coast)	Very High	High	19km	22km	26km	39km	40km	40km	Based primarily on SVIA 2019 analysis with wireline analysis and limit of visual significance for larger turbines
Heritage Coasts National Trails	High	Medium/ high and high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers
World Heritage Sites (e.g. coastal castles, forts and ancient sites) Landscapes of Outstanding and Special Historic Interest (Wales) Large SAMs Historic Parks and Gardens	Medium-high	Medium and medium/ high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers

Statutory consultees may also give the misinformation weight, including local Authorities representing our interests. They alone see documentation the Applicant offers that is not available for public scrutiny until the die is cast.

Our belief is this is a compelling reason to restart the pre-application consultation, properly, with an accurate representation of OESEA advice on visual buffers along with accompanying steps to raise the standards for static visual representations of the turbines and the inclusion of visual animations.

Offering a narrow socioeconomic Desk Study on which consultations were framed using selected out-of-date research studies on attitudes to windfarms, instead of undertaking

actual resident and visitor surveys; compounded by offering comparisons with two existing windfarms of a completely different scale and nature to claim they verify a Desk Study hypothesis that Rampion 2 has no impacts (negligible) on residents and visitors.

The Desk Study on which PEIR consultations are based employed a narrow selection of out-of-date studies and assumptions about coastal resident and visitor attitudes to windfarms to develop their subjective hypothesis that all windfarms, even those near populous coasts, have negligible adverse socio-economic or visual amenity and seascape impacts. This is with no consideration of size or proximity to the shore.⁴⁷

The Applicant then claims its Desk Study hypothesis is “verified” by testing it with comparisons to two existing windfarms that were actually not of the same scale and expanse of Rampion 2, or proximity to shore in one case.

At the same time, the PEIR consultation material side-steps the obvious information that contradicts the Desk Study hypothesis, for instance:

- i. The OESEA strategic advice on visual buffers for windfarms exists for a reason - to avoid local harms in coastal communities. Its very existence invalidates a central hypothesis in the Applicant’s consultation material.
- ii. The Navitus Bay Windfarm application was refused for reasons that include socio-economic impacts and loss of visual amenity, which also contradict the PEIR desk study hypothesis and consultation material offered.

The PEIR actually states, “Overall, the evidence ... suggests that offshore wind farm developments generate very limited or no negative impact on tourist and recreational users during the construction and operation and maintenance phases”⁴⁸; based on studies in the UK, United States and Europe that go back decades to when offshore windfarms were minnows compared to today’s technology.

Data and Assumptions: underlying the consultation material

For instance, the main research references for the PEIR desk study to develop the hypothesis taken into consultations were given as:⁴⁹

- North Hoyle (Arup Economics and Planning, 2002)
- Gwynt Y Môr (RWE N-Power Renewables, 2005)
- McGowan and Sauter (2005)
- The Tourism Company (2012)
- North Carolina State University (2016)
- RCUK (2009) and Soini et al. (2011)
- Failte Ireland (2012) and Cardiff City and County Council (2012)
- National Grid (ERM, 2014)
- Scottish Government’s Renewables Inquiry (Aitchison, 2012)
- University of the West of England (2004);
- Ipsos MORI (2014) and Glasgow Caledonian University (2008)

Using these dated examples, the PEIR Desk Study concludes that a majority of people hold positive views of offshore windfarms (of course, as we all do in 2022), but with little context or differentiation of attitudes of residents and different types of visitors due to turbine scale and location attributes.

⁴⁷ Para 1.4.2: the ex-ante research covers a group of studies which have been carried out to ascertain and / or explore potential reactions to wind farm developments. Rampion 2 PEIR. Volume 4, Appendix 18.2: Socio-economics technical baseline

⁴⁸ Para 1.4.19 Rampion 2 PEIR. Volume 4, Appendix 18.2: Socio-economics technical baseline

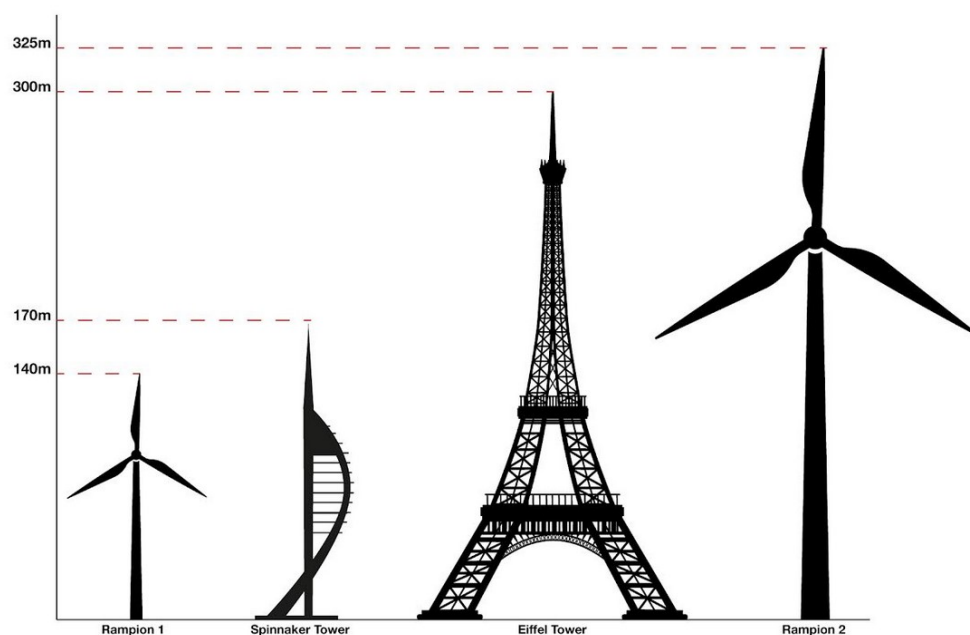
⁴⁹ Page 84 of the same

The question again is what key underlying assumptions are revealed, or not, in virtual and digital only consultation approaches that make them inadequate.

The PEIR desk study actually verified its own hypothesis (i.e., offshore windfarms generically have negligible impacts on residents and visitors) using visitor information on urban areas linked to two existing UK windfarms namely: the 400MW Rampion 1 scheme centred off Brighton and Hove with 140m turbines occupying a limited segment of the Sussex coast; and the 400MW Dudgeon Offshore Wind Farm located 32 km offshore north of Cromer (20 miles) off the coast of Norfolk - neither being representative of the scale and expanse of Rampion 2.

The Dudgeon Wind Farm in the north sea actually respects OESEA advice being 32 km offshore with 154m turbines. In contrast the OESEA advice was relaxed for Rampion 1.

An illustration of the comparison of Rampion 1 and Rampion 2 (worst case) absent from consultation materials offered.⁵⁰



Graphic courtesy Gerry Easter

Moreover, there is no obvious reference in the Rampion 2 PEIR consultation materials to the 970 MW Navitus Bay Wind Park Application proposed on the other side of the Isle of Wight with 210m turbines. That was refused consent in 2015 for reasons, including adverse visual impacts and not respecting advice in OESEA2 to avoid local harms with a visual buffer.

Bournemouth Borough Council offered a local impact report which presented a survey of visitors (conducted by Visit England) that demonstrated the likely negative impact of such a windfarm on different groups of visitors commissioning Visit England for the survey. While some visitors were not put off visiting again when shown visualizations, many others were put off resulting in estimated a net loss of £6 bn to the tourism economy over the lease term.

The Rampion 2 PEIR methods were undoubtedly shaped by lockdown (e.g., the Applicant did face real constraints in doing survey work). It was next to impossible for many Residents to actually digest, understand or assess what the Desk Study offered, or see what assumptions and expert

⁵⁰ Under the worst-case scenario, it is assumed that Rampion 2 will consist of 75 wind turbine generators (WTGs) of up to 325m in height, or up to 116 WTGs of up to 210m in height if smaller capacity WTGs are used (the same as height initially proposed for the Navitus Bay scheme refused consent in 2015).

judgements were employed to derive the seascape and visual amenity impact conclusions that were reached,⁵¹ and offered for consultation; namely the inadequacies of:

- i) over reliance on dated attitudinal studies and assumptions in Desk Studies that are no longer relevant to today's wind turbine technology scale.
- ii) total reliance on two non-relevant comparisons of Rampion 2 to existing, far smaller windfarms to verify the Desk Study hypothesis.
- iii) No visual animations in the PEIR and not-to-standard static visual representations buried in massive volumes hardly accessible to the public.
- iv) lack of clarity in the judgements behind the sensitivity and magnitude (degree of change) of the natural seascape, as may be seen by different groups of residents and visitors to the Sussex coast.
- v) the mode of pre-application consultation with Applicant-led virtual engagements controlling the nature and pace of dialogue and the know inadequacy of visual representations on small screens.

As a consequence, there was little to no opportunity to take an informed line of enquiry into virtual pre-application consultations, or to share and discuss the understanding of visual impact issues within the host community, or to challenge the Applicant on the efficacy of the subjective PEIR hypothesis and conclusions on which the consultation was based.

Clearly any desk studies that feed future consultations must offer up-to-date studies to develop hypotheses. They must differentiate attitudes to very large turbines placed inshore in full view off populous seacoasts with a vibrant visitor economy (if indeed pre-applications are to be accepted with no actual resident and visitor surveys and against OESEA advice). Such surveys are not yet offered for Rampion 2 as a consultation consideration.⁵²

Moreover, the desk studies must not selectively exclude highly relevant comparisons with windfarm applications just along the south coast and fail to draw lessons, like the experience with the Navitus Bay WindPark not even mentioned in the Rampion 2 PEIR or consultees and the public made aware of that outcome. The Applicant's consultants as well as consultants hired by local authorities (such as to prepare LIRs) must avoid attempts to verify hypothesis using examples of windfarms not comparable, or relevant to the Rampion 2 situation.⁵³

5. General failure to meet the standards of consultation envisaged in the relevant government guidance (MHCLG, 2015) in this experiment with virtual / digital only community consultations, given the DCO regime front-loads consultations into the pre-application stage "to ensure a more transparent and efficient examination process".

⁵¹ Thus the PEIR, on the basis of a limited Desk Study combined with professional judgement about the sensitivity and magnitude (degree of change) to define impacts concludes that the 1200 MW Rampion 2 scheme with turbines up to 325m, that much more visible and larger in profile at 9-16 MW each, and far more expansive occupying the Sussex Bay would similarly have (negligible) impacts (as they claim) like the smaller Rampion 1.

⁵² The visitor surveys commissioned by Bournemouth Borough Council (by Visit England) to inform the Navitus Bay WindPark Examination logically differentiate the impacts on different groups of people. That kind of survey should also be offered to inform consultation on the Rampion 2 pre-application done for the Local Impact Reports of ADC and/or WSCC.

⁵³ The PEIR makes reference to current experience in the UK that is not necessarily transferable or even relevant. For example, the Dudgeon Offshore Wind Farm located 32 km offshore north of Cromer (20 miles) off the coast of Norfolk, in the North Sea commissioned in 2017 with a similar 140m tall turbines to Rampion 1 (i.e. much smaller turbines than Rampion 2 turbines) is offered as evidence of negligible adverse impacts on tourism from windfarms generally. By extension the PEIR concludes Rampion 2 will similarly have no impact, despite having much larger turbines and being far closer to the South Coast tourism offers and spreading across the seascape – unlike the Dungeon Windfarm and existing Rampion 1 installations.

Similar concerns have been identified by other community organisations and Parish Councils along the Sussex Coast, such as referred to in Appendix 2.

Among them is documented failure of virtual and digital only consultations to respect inclusiveness and equality.

As mentioned in the Open Letter, many people of all ages in host communities have no capacity to access computers, the internet or navigate the on-line data bases and consultation materials and response forms that are offered, including some complicated survey response and confirmation procedures on the applicants website. Therefore, among those excluded include the poor, vulnerable and elderly Sussex coast community residents. It suggests that either Councils did not question or require remedial measures when they reviewed the draft SoCC, or the Applicant ignored those inclusiveness and equality concerns that were raised.

In short, our experience as we explain in the body of evidence in these Attachments including the supporting documents compiled as a separate PDF (Attachments 3 and 4) is that pre-application consultations conducted in virtual and digital only modes are not transparent or efficient. In future they should be avoided in the Public interest and out of common sense.

Again our understanding is the Rampion 2 was only one of two windfarm pre-application consultation conducted in the UK in 2020-2022 under COVID-19 restrictions which physically constrained not only the adequacy of consultation, but also the nature and quality of the Applicant's PEIR work (as in the previous discussions on the Desk Study and absence of resident and visitor studies) as well as the degree of scrutiny by Statutory and non-statutory consultees to the standards anticipated in guidelines.

Both these pre-applications were conducted by RWE. For the windfarm in Wales, the County Council was proactively actively involved to address the concerns.⁵⁴

⁵⁴ <https://www.bbc.co.uk/news/uk-wales-59712566>

Attachment 2 (to Open Letter)

Documented evidence on the failure to notify all persons or groups whose property is within 100m of the coastline (Coastal Zone 3) as provided in the Rampion 2 Windfarm SoCC

Referring to Item 1 of 6 in the evidence in Attachment 1:

Failure of the Applicant to directly notify all people and groups with property in the Coastal Area (Zone 3, up to 100m from the coastline) about the consultation by mail, as provided in the Applicant's statutory Statement of Community Consultation (SoCC); compounded by failure to be inclusive in defining Coastal Area Zone 3.

Figure 4 from the SoCC



Consultation leaflets distributed to postal addresses with information about the consultation and how people can have their say. Addresses which will be included in the leaflet distribution area include:

Zone 1: within 3km of the proposed substation options

Zone 2: within 1km on either side of the outer cable corridor (PEIR) boundary

Zone 3: within 100m of the Sussex Coastline between Beachy Head and Selsey Bill, and the eastern coastline of the Isle of Wight between Seaview and Ventnor

Evidence gathering was undertaken at a number of locations in Coastal Zone 3 along the Sussex Coast and brought to the attention of the Applicant.

Middleton on Sea: On 25th August Middleton Parish Council hosted a public consultation to brief Councillors on Rampion 2 with the Applicant agreeing to attend virtually. Residents and Parish Councillors attended in-person.

The Middleton-on-Sea News published by the Parish Council records the fact that the Applicant was made aware that many residents in Zone 3 had not received a mailed consultation notice or leaflet. The Applicant (RWE) was asked to address this concern by delivering the consultation notice leaflet to all residents in Zone 3 and to extend the consultation by a further 6 weeks beyond the mid-September 2021 closure.

Please see the section on page 3 of the Middleton-on-sea News⁵⁵ Autumn 2021 edition which states:

“The main concern related to ‘Whom Rampion would consult in the community’. Under Zone 3 of the Statement of Community Consultation (SoCC) this relates to the coastal area. RWE state as follows, ‘Those persons or groups whose property is within 100 metres of the Sussex Coastline between Beachy Head and Selsey Bill, and the eastern coastline of the Isle of Wight between Seaview and Ventnor’ will be consulted. It would appear that a large number of households who would be included

⁵⁵ <https://middleton-on-sea-pc.gov.uk/document-category/middleton-news/>

under Zone 3 have not received any information from RWE in respect of Rampion 2 and therefore the consultation process has not met its requirements and the formal consultation deadline of the 16th September 2021 needs to be extended for a further 6 weeks to enable these householders to review the proposals for Rampion 2 and to decide if they wish to support or object to the project.”

RWE agreed to take this point away and consider it. As of the end of January 2022 there was no indication that RWE did send out leaflets, as requested in the 25th August meeting, and clearly it did not extend the consultation from mid-Sept.

When the consultation ended the Middleton on Sea Coastal Alliance (MOSCA) a local non-government organisation formed by residents conducted a survey of all residents in one key road that borders the coast in Zone 3 (Sea Way, Middleton on Sea) to follow-up on what actually happened.

Not a single resident within the 100-metre limit responded to say that they had received the notification of consultation leaflet at anytime. Two of the 25 residents did not respond and 2 were new residents that did not own the property at the beginning of the consultation.

MOSCA which argues Renewable Energy Projects must respect the coast and habitat where they are located can be contacted directly to verify their survey outcomes (contact@mosca.click). They have signed responses from each resident. The MOSCA survey reporting and adequacy of consultation concerns can also be accessed at the website <https://www.mosca.click/>

A second survey was conducted of all coastal properties in Southdean Drive, Middleton-on-Sea and Manor Way Middleton-on-Sea on behalf of Protect Coastal Sussex. None of the permanent residents of these roads within 100 metres from the coast received the consultation notice leaflet. A few of the properties are reportedly rented or are second homes. These residents were not able to respond, or did not know.

Residents in the 25th August 2021 meeting also requested the criterion be 200m or greater, otherwise many people with properties facing the sea with unobstructed views (i.e., the very reason for targeted Zone 3 notices being mailed in the first place) were missed. The same situation would apply to along the whole of the Sussex coast and especially in seaside towns such as Littlehampton where properties on the open seafront start 145m from the shore.

Other Zone 3 Locations

Evidence in other Zone 3 locations is available where documentation or affidavits can be provided of the non-delivery of a mailed notice of consultation by the Applicant.

Among these:

Aldwick: In Aldwick to the west of Middleton-on-Sea and Bognor Regis 23 residents of coastal in the Aldwick Bay Estate with properties within 100m from the shore (Zone 3) were asked if they directly received a consultation notification leaflet by mail. Fifteen (15) or over 65% said they had not and eight (8) had. Verification of this can be provided by Protect Coastal Sussex (chairman@protectcoastalsussex.org).

Rustington: Malon Dean Road residents in Rustington within 100m of the seashore indicate they did not receive a mailed consultation notice leaflet.

Worthing: A number of residents of properties in Worthing within Zone 3 were contacted and confirmed that they had not received a mailed consultation notice leaflet.

Isle of Wight: Parish councils that included residents in Zone 3 on the Isle of Wight were all contacted by Protect Coastal Sussex to ask if they were aware of the proposed Rampion windfarm Rampion 2. None of them was made aware of the proposal. Protect Coastal Sussex (chairman@protectcoastalsussex.org) can be contacted to confirm this evidence.

Requests to the Applicant on the addresses used for the consultation notice leaflet drop

A number of steps were taken in this regard:

- 1) The Applicant was asked to clarify which addresses received the leaflet at the public briefing to Middleton on Sea Parish Council on 25th August 2021 and agreed to respond. No response has been provided to date.
- 2) When questioned about the consultation notice leaflet drop at an in-person meeting on 14th September 2021 with the Applicant (project manager, Vaughan Weighill) it was explained that they had subcontracted the delivery of the leaflet to the Royal Mail and would find out from them the list of addresses and provide this. No response has been provided to date.
- 3) The Applicant (project manager) was asked again 18th October 2021 by email (as a follow up to the request at the in-person meeting on 14th September) to provide a full list of the addresses that the consultation notice leaflet was distributed to. He agreed to provide this information in the following week or so. No response has been provided to date.
- 4) The applicant was asked by the Littlehampton and Bognor Regis MP Nick Gibb in a meeting in early December for the list of addresses. This has not yet been provided (as of the end of January 2022). It appears that the Applicant may have subcontracted the printing and delivery of the leaflets to a local organisation, called Sharpcat, who are likely to then subcontract the delivery to the Post Office.

<https://www.sharpcat.co.uk/contact-us/#south-east>

Sharpcat offers to deliver leaflets to an area. When questioned directly Sharpcat stated that for a sum of around £8,000 they would organise the delivery of about 11,000 leaflets – (this being the number that the Applicant suggested they believed were used in the leaflet notification drop covering all of the Zones 1, 2 and 3). Sharpcat apparently only needs the artwork for the consultation notification leaflet and a description of the area. They do the rest. Given the lack of response to date it would appear the Applicant did not receive the list of addresses from Sharpcat to verify that the areas requested were covered.

The Logical Resolution?

There is no indication that any effective corrective actions on the statutory SoCC Zone 3 notification failures were taken along the Sussex Coast, even to this date. Thus the statutory failures cannot be blamed on the postal service or third Parties.

The online FAQ of the Planning Inspectorate (PINS) offers guidance on the resolution of consultations issues.⁵⁶ Thus after taking up Zone 3 violation concerns with the Applicant directly with no satisfactory resolution, as in the well documented case of Middleton-on-Sea, we bring this matter to the attention of local Authorities as an adequacy of consultation submission and will similarly contact PINS as needed.

The remedy of course is to conduct a proper pre-application consultation on the Rampion 2 proposal implementing the improvements recommended in our Open Letter and for the six reasons set out in Attachment 1. We believe that repeating the pre-application consultation to an adequate standard as envisaged in the Government guidelines (MHCLG, 2015) serves the Public Interest and that of all Sussex Coast residents.

As noted, it will go a long way to increase community awareness and understanding of the Rampion 2 scheme and thus improve the consultation effectiveness and allow the Applicant more informed feedback; hence improve public confidence.

In summary as host communities, our view is:

- Any violation of the statutory SoCC is significant for reasons previously noted in Attachment 1. They cannot be dismissed as minor digressions, considering the other compounding factors that make this consultation inadequate.

⁵⁶ <https://infrastructure.planninginspectorate.gov.uk/application-process/frequently-asked-questions/section-47-faq/#2> . See FAQ 1.1

- 100m is clearly inadequate for notification of the consultation for the very reason that targeted Zone 3 notifications by mail were recognised by the Applicant as important, regardless of the fact the inadequacy of the 100m criterion was not picked up by Councils who saw the draft SoCC, and the Applicant claim that 100m was thus in effect “fit for purpose” because "stakeholders" agreed. That is what the Applicant expressed to Middleton-on-Sea residents in their public consultation 25th Aug 2021.

We also remark that it is perplexing that ADC and WSCC Councils would agree to excluded the whole of Littlehampton from Zone 3 (by not commenting on the 100m criteria that the Applicant proposed in the draft SoCC, which the public did not see) this despite Littlehampton’s open seafront.

We can only assume that was an oversight due to COVID restrictions and Councils preoccupation with other essential responsibilities. Nonetheless, it is a significant oversight, in our view, especially because the Rampion consultations were already downgraded to a virtual-digital engagement mode; thus needs to be corrected when consultations resume (it is a £ 3bn project, with guaranteed commercial rates of return for the multinational due to direct and indirect renewable energy subsidies).

Littlehampton community organisations had petitioned local authorities to see the Draft SoCC to offer comment to inform their conversations with the Applicant (See Attachment 4). This error excluding Littlehampton and many others would have been picked up.

- We believe the Applicant's Consultation Report needs to be made public in a timely way to inform the Adequacy of Consultation representations to the Planning Inspectorate not only offered by ADC and WSCC, but also to accommodate representations of directly affected host communities to Councils on this matter.

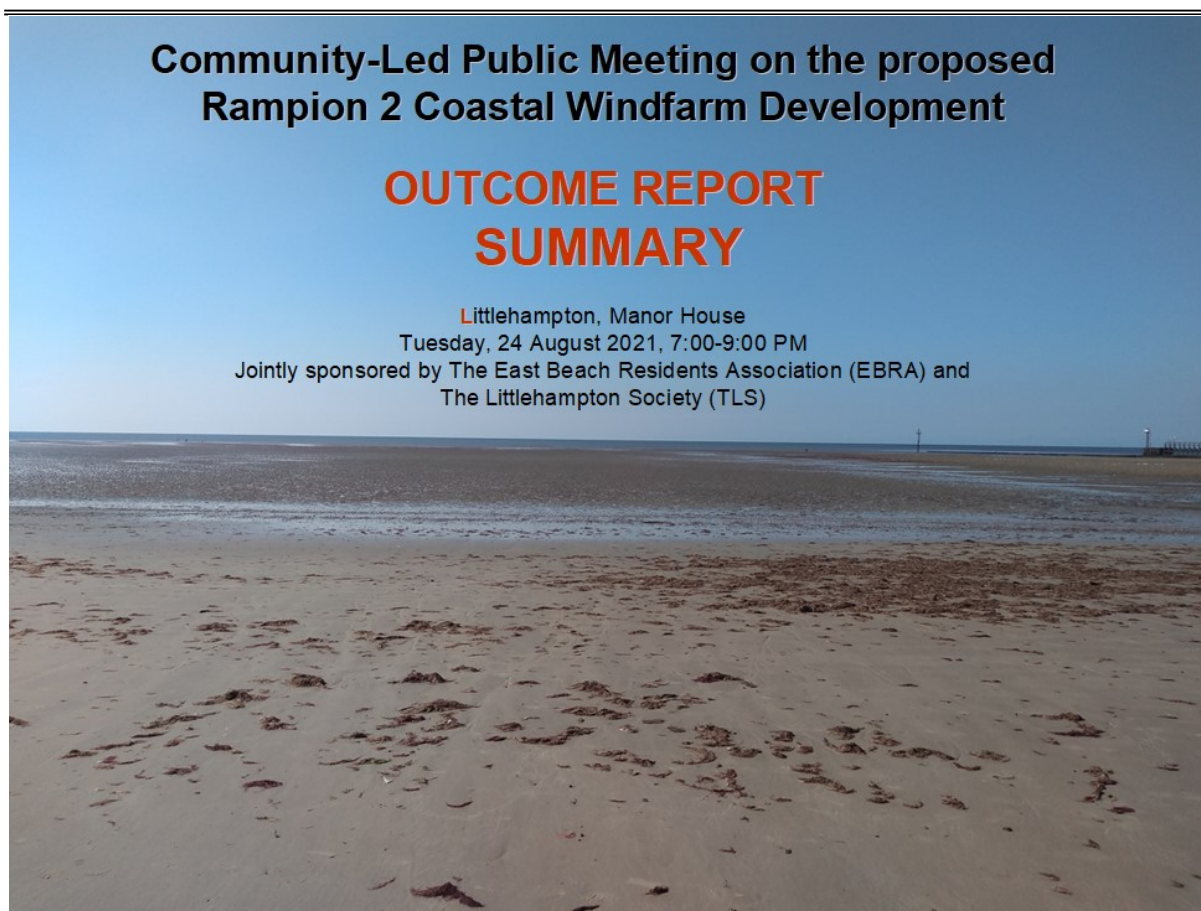
If the Applicant’s Pre-Application Consultation Report is not made public in a timely way, we suggest that is a flaw in the DCO process that needs urgent addressing by MHCLG. We pointed this out in our representation to the open consultation that closed 29 November 2021 where the Ministry of Housing, Community and Local Government (MHCLG) sought views on reforming the Nationally Significant Infrastructure Planning (NSIP) process (Attachment 4).

We thus urge that the issues raised herein with the Zone 3 criteria and the evidence offered, as well as other recommendations regarding consultations to sensibly reform the NSIP pre-application be addressed urgently (on a case-specific basis if needed) before the Rampion 2 pre-application consultation is repeated in 2022 (hopefully); and specifically:

(1) to provide an adequate level of transparency in the pre-application consultation by enabling and encouraging community input to local authorities on the Applicant’s draft SoCC, by making the draft public, and

(2) to make the Applicant’s pre-application Consultation Report available to host communities in a timely way for them to offer submissions to local authorities in time for the Acceptance Stage.

**Attachment B2:
Summary Report on the Littlehampton Community-Led Meeting
24th Aug 2021 as the first Statutory Consultation response**



This Outcome Report is presented in two parts, namely: the Summary Report and the Main Report. The latter elaborates selected topics arising from the Public Meeting and provides copies of presentations and information on media coverage and its aftermath.

The Public Meeting serves two aims:

- (1) Firstly to inform conversations between residents engaging with Councils and Planning Officers on the Rampion 2 development consent process.
This is for the formal pre-application consultation that ends the 16th Sept 2021, as well as the Acceptance and Examination stages likely to be in 2022, and
- (2) Secondly to offer direct input to the Applicant-led pre-application consultation to refine their commercial preference and finalise their Application.

The Context for the Public Meeting

The Rampion 2 pre-application has advanced entirely during the pandemic period, starting with the Environmental Impact Assessment Scoping Report issued in July 2020. Community experience with the informal consultation then held virtually 14 Jan to 8 Feb 2021 was there was limited awareness of the proposed development and its potential impacts, not only among residents of host communities along the Sussex coast in lockdown, but also among Councillors at all levels. Many Cllrs were distracted by COVID-19 responsibilities and we were unable to contact them or meet among ourselves.

From March through May 2021 community organisations (CSOs) in Littlehampton engaged the Applicant and local authorities by email, as well as the Planning Inspectorate which functions as the Government regulator of the NSIP consenting process, asking them collectively to consider a reasonable pause in the Rampion 2 consultations, at least until normal public meetings and face-to-face interactions indoors were again possible, likely later in 2021 or early 2022.

A specific concern was the limitations of relying on virtual-only and digital consultations under COVID restrictions. The scale, expanse and proximity of this coastal windfarm proposing to deploy a new generation of very large industrial-scale turbines (WTGs) sited close to the populous Sussex coast warranted everyone's full attention.

The 1,200 MW Rampion 2 scheme is not simply an extension of the existing 400 MW Rampion windfarm scheme as implied in the consultation documents issued by the Applicant and as some Cllrs and local media articles claim.

Rampion 2 is an entirely different scale and will have an assortment of visual, socio-economic and ecological impacts far greater in scope and significance than Rampion 1; more like those of the 970 MW Navitus Bay Wind Park development proposed off Dorset and the Isle of Wight in 2010 that was refused consent in 2015.⁵⁷

Littlehampton CSOs offered to hold Community-led public meetings once Covid-19 restrictions on normal face-to-face meetings were lifted.⁵⁸ The request for a reasonable pause was declined (though contested as elaborated in the Main Report). The formal Applicant-led consultations were then set to last 6 weeks on a virtual basis provisionally starting April 2021.⁵⁹ As events unfolded, the start of consultations was shifted to July 16 and extended 9 to weeks. That meant the community-led Public meeting Littlehampton CSOs offered could go ahead (we set August 24th). Meantime, the Applicant elected to continue virtual-only engagements with communities along the Sussex coast until the 16th of September 2021.

The Purpose

In this context, the purpose of the face-to-face Public Meeting funded by Littlehampton residents and sponsored and funded by Residents was threefold, namely:

1. to help inform the wider community and Councillors about the nature of the Rampion 2 development as currently proposed, as well as the potential impacts on seaside towns and communities along the Sussex coast;
2. to explain timelines to engage in the 6-stage development consent process that spans 16-20 months before a decision is rendered by the Secretary of State for Business, Energy and Industrial Strategy (BEIS) on the advice of a 3-4 person Examining Authority (ExA) appointed by the Planning Inspectorate (PINS)⁶⁰; and,
3. to explain opportunities for residents to engage with the Applicant directly, as well as statutory consultees, local councils, and other coastal communities where joint actions may be considered (such as joint representations during the 6-month Examination stage expected to start mid-to-late 2022).

⁵⁷ The request for a reasonable pause recognised that the Government Guidelines state the Development Consent regime for windfarms, deemed as nationally significant infrastructure projects (NSIPs) front-loads local community consultations into the pre-application stage "to ensure a more transparent and efficient examination process".

⁵⁸ Community input to the Applicant-led Statement of Community Consultations (SoCC) on 30 March 2021

⁵⁹ Draft Statement of Community Consultation (SoCC) by Rampion 25 March 2021 and on the Rampion 2 website. While CSOs respected the decision by the Planning Inspectorate not to pause, a challenge was submitted to the Ministry of Housing Community and Local Development in the form of a response to the MHCLD call for evidence on the efficacy of virtual meetings and consultations in mid-May 2021.

⁶⁰ The Examining Authority is appointed after the Application is accepted for Examination.

A community-led meeting was deemed to be a practical and necessary step to escape the single narrative of applicant-led and controlled virtual-only consultations.⁶¹ It was an offer to strive for the level of scrutiny that is envisaged in the 2015 Government pre-consultation guidelines for NSIPs, which of course did not anticipate COVID-type restrictions.

Who Attended?

Councillors at the three levels as well as area residents and community representation from along the coast were invited on an RSVP basis due to space limitations in the venue. Invitations were extended in stages starting with “key influencers” including Councillors and then to members of CSOs and Residents.

Box 1: Attendance at the Community-led Public Meeting in Littlehampton 24 August 2021

There was a maximum capacity turnout with about 80 people attending in-person, including many Councillors from all three Council levels, together with residents from the Littlehampton area and other Sussex coastal communities. Close to 20% of participants were Councillors and other senior officials including Cabinet Members from the Arun District Council (ADC) and the West Sussex County Council (WSCC) and Mrs Denise Patterson, Deputy Lieutenant of West Sussex.

Representatives of the Rampion team (RWE) participated virtually having finally accepted the invitation that was first extended to them on the 8th of July 2021.

That invitation was repeated on other occasions including the 21st of July 2021 Community Project Liaison Group (PLG) meeting held virtually but the Rampion Team declined each time, only to suddenly phone to accept the invitation in late afternoon the day before the Meeting.

The Format of the Meeting

David Warne, Chairman of the East Beach Residents Association (EBRA) and Elizabeth Marogna, Hon Secretary the Littlehampton Society (TLS) co-chaired the meeting. After welcoming remarks the 2-hour meeting progressed in three parts:

Part 1: Presentations to help orient and inform participants, including:

- I. The RWE Team’s virtual Presentation
- II. Perspectives on Rampion 2: From a Resident and Renewable Energy Advocate
- III. A Greener Way Forward for the Proposed Rampion 2 Wind Farm capacity
- IV. A Bird’s Eye View of the Development Consent Process: Timelines & What Comes Next on Rampion 2

Part 2: A “speaker’s panel” to address public questions and have open discussion in a Q&A session moderated by the co-chairs.

Part 3: Time for community organisations and others to offer views or position statements and for participants to offer resolutions or key questions to consider.

⁶¹ Because the official public consultations led by the Rampion 2 Team are virtual-only (computer screens and devices), and because this is the only formal public consultation in the development consent process for Rampion 2,



Photo courtesy of Sam Morton Sussex Newspapers

Part 1: The Presentations

After Rampion had declined to participate in the Littlehampton Community-led meeting, the intention was to stream the video available on Rampion’s consultation website followed by a presentation on the technical interpretation of the proposed development as presented in the Applicant’s Preliminary Environment Impact Report (PEIR).

As it turned out on the day, after welcome remarks by Co-chairs, the Rampion 2 Team was invited to present live (virtually) to the in-person meeting; which they did along the lines of the video and material on their website.

RWE representatives also advised participants they warranted more time to speak in the Public Meeting; this despite declining to participate until the day before, and also considering the rationale of holding a Community-led Public Meeting was to have a more open and less scripted exchange of information and views. The Rampion 2 marketing team already managed interactions in all virtual Public consultation meetings presenting to communities along the Sussex coast, including those virtual consultations already scheduled for the Littlehampton area, as well as the virtual meetings with the statutory consultees.⁶²



Presentation by the Rampion 2 Marketing Team

For those wishing to see the full Rampion virtual presentations and lectures on their current proposals with maps and videos please visit <https://rampion2.com/consultation/>

Presentation by the Community

⁶² The rationale of holding the Community-led Public meeting was to address the fact the Applicant already dominates all information flows and exchanges on Rampion 2 including virtual / digital exchanges with statutory consultees, affected communities and the public. Other evidence-based analysis is important to table and to openly discuss.

Subsequent Part 1 presentations by the professional support group for CSOs were truncated on the fly to accommodate time for the Rampion Team. Full versions of these presentations are available in the Main Report.⁶³

Among the main themes in the presentations offered by the CSO professional support group include the following:

- Rampion 2 is not necessary to meet UK Offshore wind targets:
There is already 60 GW of generation capacity in the Crown Estate's pipeline to meet the 2030 target of 40 GW. Not pursuing Rampion 2 would have no impact on the UK's plan to reach the offshore wind targets for 2030, or beyond through 2050.
 - To the contrary, re-locating the same turbines in Dogger Bank would be even better and generate 60% more carbon reduction benefits.
 - And because industrial-scale wind turbines feed the national grid, they serve electric needs across the entire country. They do not have to be erected on the inshore seabed of the populous south coast to serve power loads there.
- Rampion 2 would be in a region of low wind power density close to the shore: There are much better locations where wind farms are further offshore in regions of high windpower density. In the Dogger Bank area, for example, turbines are more than 75 miles offshore with three times the windpower. In stronger and more constant winds they generate much more dependable electricity.
 - Siting wind farms where they are most efficient provides lower cost electricity supply helping to reduce upward pressure on consumer tariffs.
 - It also promotes economic efficiency in the nationally significant energy infrastructure investment programme, and recognises that UK electricity consumers must pay the near £3 bn cost of Rampion 2 via tariffs over 25 years with a commercial rate of return to the developer / investor.
 - It is prudent to seek the maximum carbon benefit for the UK's renewable energy investments which helps to reach the net-zero ambition sooner.
 - It also makes much better use of the approximately 7 tons of rare earth magnets needed for each turbine/generator. It better offsets the significant CO2 emissions created in mining, manufacture, construction, installation, maintenance and decommissioning of industrial-scale wind turbines sited on coastal seabeds (i.e. recognising the life-cycle carbon profile of all energy systems).
- Grid Connection: There are tremendous advantages to prioritising new wind farms in regions which connect to the National Grid's new Offshore Transmission Network. The new offshore grid in the north west reportedly will save £6 bn by 2050 and significantly reduce damage to the environment from multiple landings to connect offshore wind farms to the UK national grid separately.
 - Rampion 2 relies on direct connection to the onshore grid thus impacts on coastal communities and the South Downs National Park for grid connection.
 - Connecting to the Offshore Transmission Network also offers greater opportunity for two-way power sharing by interconnection with Continental power systems.

This is key because of the variability of wind power as demonstrated recently in where the UK had to turn on coal-fired generation and "invite" others with interconnects to do

⁶³ Rod Brown, Dr Colin Ross, of Protect Coastal England offering an evidence based presentation, and Lawrence Haas presenting the Bird's Eye View and Timelines including the scope for collaborative next steps with Local Impact Reports.

the same, as UK windfarms were becalmed. Rampion 2 does not offer the same grid interconnection opportunity.⁶⁴

- Rampion 2 would not fully respect government guidelines concerning visual buffers: It is far too close to shore. Nowhere on the UK coast are such tall turbines installed inshore (under 12 nautical miles) or planned. Similarly, nowhere on the UK coast is there a wind farm spanning such a large proportion of the horizon occupying valued seascape to such an extent.
 - The UK's Offshore Energy Strategic Environment Assessment (OESEA) process recommends a buffer of 40 km (25 miles) between the large turbines proposed for Rampion 2 and highly sensitive visual receptors.
- Two previous windfarm applications on the UK south coast both offer important lessons to inform the consideration of Rampion 2: The experience with Rampion 1 (applied in 2010 and consented in 2014) and the Navitus Bay Wind Park Application (applied in 2010 and refused consent in 2015) offer valuable lessons for the consent process, in particular the responsibility of Council's to provide comprehensive Local Impact Reports (LIRs) for the Examination stage.
 - The proposed Navitus Bay Wind Park development is more comparable to the Rampion 2 proposal than the current Rampion installation in most respects including the scale and the significance and scope of impacts on seaside towns and coastal communities and their visitor economies.
 - Bournemouth Borough Council's comprehensive Local Impact Report (LIR, 2014) on the Navitus Bay WindPark application offers a model to help to scope, to discuss the approach and to prepare local impact reports for Rampion 2.
 - Bournemouth's in-depth local impact analysis also contradicted many aspects of the Navitus Bay Applicant's EA Statement and revealed their subjective nature.
 - Thus apart from methodology and findings, a key lesson that Bournemouth's experience offers is that careful and independent scrutiny of local impacts is essential to better inform residents, the wider public and the Examination process.
- Rampion 2 will have many adverse socio economic impacts due to effects on both coastal area residents and visitors: The Navitus Bay Examination showed the magnitude and significance of these adverse impacts, as well as who is impacted, and degree of risk posed will be the subject of contention.

It was a key reason most local councils objected to the Navitus Bay scheme.

Similarly Rampion 2 will have a contested range of socio-economic impacts though certainly impacts far greater than the existing Rampion installation. This is due to the larger scale of Rampion 2, its use of larger turbines and taller turbines way more visible than Rampion 1, and due to the fact Rampion 2 would transform the Sussex Coast seascape over a widespread area.

- Bournemouth's comprehensive visitor surveys suggested the visual impact of Navitus Bay turbines and occupation of the seascape would detract a sufficient number of tourists from visiting, risking almost 5,000 local jobs and economic loss of up to £6.3bn over 25 years. Some types of tourism would be unaffected but there would be a significant net loss.
- Councils also argued area residents would be affected day and night time impacting on well-being (with flashing red lights at night across the seascape). The impact on coastal residents must be assessed along with impacts on all segments of the visitor economy due to degrading the coastal tourism offer.

⁶⁴<https://www.telegraph.co.uk/business/2021/09/06/britain-forced-fire-coal-plant-amid-record-power-prices/>

- Again while the Navitus Bay Applicant argued in Reports and Examination submissions in 2014 through 2015 there was no robust evidence that their proposed development would have any adverse tourism impacts or socio-economic impacts at the local or regional levels (as RWE now argues for Rampion 2 scheme).

The Examining Authority for Navitus Bay concluded the Applicant erred in lessening the tourism and negative tourism-related job impacts in Dorset, and that the development would have a greater impact in selected local areas. The Examination Authority concluded that overall the magnitude of socio-economic impacts may fall somewhere between the two competing claims.

- Based upon the comprehensive resident and visitor surveys that Bournemouth Council commissioned Visit England to conduct, if applied to the Sussex Coast tourism baseline date (with and without Rampion 2 going forward), with Rampion 2 the West Sussex tourism economy may reduce by up to 20% and risks a net loss of thousands of tourism-related jobs over 25 years.
- In contrast, the Rampion 2 PEIR based on desk studies conducted in lockdown (without the benefit of extensive visitor surveys apart from Brighton area focused surveys) concluded that Rampion 2 will have a negligible impact on the future volume and value of the tourism economy along the Sussex coast – based on expert judgement.
- RWE’s PEIR offers as evidence to back the expert judgement other UK experience, for example, the Dudgeon Offshore Wind Farm sited 32 km (20 mi) north of Cromer off the coast of Norfolk in the North Sea commissioned in 2017, with a similar turbine scale as Rampion 1 (I.e. much smaller than the WTGs proposed for Rampion 2).

The Dudgeon experience is offered as clear evidence that offshore windfarms have negligible impacts on coastal tourism in the UK, and that the Dudgeon experience applies to Rampion 2, despite the vastly different settings, scale, and distance to shore.⁶⁵

- Thus careful reading of the sources of data, methods and assumptions employed in the Rampion 2 PEIR socio-economic assessment reinforces the importance of undertaking comprehensive Local Impact Report (s) drawing on the Navitus Bay experience. Rampion 1 cannot serve as a simple proxy for Rampion 2 impacts as RWE argues and emphasises in the PEIR now being consulted.
- Measuring Public Acceptance: There is no specific opportunity to measure the coastal community and wider public acceptance of the Applicant’s commercial preference for the Rampion 2 development. Or to compare that selection with reasonable alternatives that RWE considers in its EIA.

There is no public consultation in the consent process after the Rampion 2 application is submitted early next year.

- The applicant’s commercial preference for the Rampion 2 design and development scheme (i.e., the number, size and siting of turbines on the seabed and connection to the grid onshore) is only revealed to residents and the wider public once the Rampion 2 application is accepted for Examination.
- Subsequently there is no consultation or direct measure of public acceptance of what is applied for unless an initiative is made to register a representation at the pre-Examination stage in early to mid -2022 doing that (e.g. a major survey or even local area referendum, or survey / consultation work incorporated as part of a Local Impact Report process).
- A collaborative approach to prepare the Local Impact Reports will improve public awareness and acceptance of the outcome: Conducting local impact reports in an open, transparent and

⁶⁵ The Rampion 2 PEIR. Volume 2, Chapter 18: Socio-economic 18.10.25

collaborative way offers a significant opportunity to genuinely inform residents of seaside towns and coastal communities and to measure public acceptance of the Application submitted to thus better inform the Examination.

- The Planning Inspectorate's Advice Note 1 on Local Impact Reports encourages joint-submissions by Councils and advises them to start work on the LIRs with surveys and other preparations during the pre-Application stage, given the compressed timetable of the consent process.⁶⁶
- A well prepared LIR where TOR are made public with an opportunity for public comment will specifically offer a reasonable and transparent basis to compare and scrutinize the Applicant's judgement of the scope and significance of local impacts, including the consideration of the adequacy of sources of information, research and the methods and assumptions on which conclusions are derived.
- Ideally in a collaborative approach the LIR will incorporate a mechanism to measure and demonstrate the degree to which the host communities on the Sussex Coast and the wider public support the conclusions and opinion of the draft Local Impact Report before it is finalised and offered to the Examining Authority.
- Communities may be consulted on an efficient way to do this.

Animations of the Rampion 2 Visual Impacts

A video animation was presented to illustrate the visual impact of Rampion 2 as seen from the Littlehampton Promenade to illustrate the transition from the existing Rampion installation (left with 140m turbines) to Rampion 2 (with the 325m tall turbine case). Figure 1 below is a still photo from that animation.

Figure 1: The Rampion development as seen by Residents and Visitors from the Littlehampton Seafront Promenade



⁶⁶ <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-one-local-impact-reports/>

Readers are encouraged to view the full set of visual impact animations of the Rampion 2 scheme as seen from different vantage points along the Sussex coast as available on the PCE website cited in the footnote. All animations are the correct scale.⁶⁷

Part 2: The Q&A and Discussions

In Part 2 (the Q&A session) most questions from participants were for the Rampion 2 Team who responded in virtual mode. They mainly focused on how local environmental impacts were assessed and the rationale for locating large wind turbines close to the shore.

One aspect of the Q&A was the stark contrast in the view of what constituted the “bigger picture” with which to consider the Rampion 2 proposal.⁶⁸

The Rampion 2 Applicant-Investor’s view was the bigger picture was today’s climate emergency and the assertion that the Rampion expansion would have electrical capacity to power the equivalent of over 1 million homes, saving 1.8 million tonnes of CO2 emissions per year. The evidence-based view of the bigger picture, as explain by Dr. Colin Ross, was the UK needed to prioritise public and private investment to accelerate truly offshore windfarm development to thereby better utilize the high wind regime locations and thus achieve net zero ambitions sooner.

Moreover, this respects government policy and guidance. It avoids the unnecessary socio-economic and ecological harms that result from erecting industrial-scale wind turbines so visibly inshore along the Sussex coast and leaves a better legacy for future generations, not only in terms of more effective climate action (a fact), but also in preserving the natural environment and maintaining the intrinsic value of the Sussex seascape. This advances national policies to grow the seaside economies and supports the well-being of both residents and visitors of communities along the coast.

In the Q&A session contrasting views also emerged on whether Rampion 2 violated or respected Government guidelines for locating wind turbines in coastal areas, as provided in UK energy policy and the Offshore Energy Strategic Environment Assessment (OESEA) process, including the existing recommendation of a 40 km (25 mile) buffer between highly sensitive visual receptors and large scale turbines of the type proposed for Rampion 2.

This aspect is further addressed in the Main Report.

Part 3: Statements and Resolutions

Public Statements

Co-Chairs invited participants to come forward with statements to inform discussions and offer their views. Three statements were offered, namely:

- A statement read out on behalf of the Rt Hon Nick Gibb MP for Bognor Regis & Littlehampton
- A statement read out by a family member of a constituent of the Hon Andrew Griffith, MP for Arundel and South Downs (on a letter from Mr. Griffith)
- A statement by the Co-Chair of the Littlehampton Society on considering the ecological impacts of the Rampion 2 development proposal.

Statement by the Rt Hon Nick Gibb MP for Bognor Regis & Littlehampton

⁶⁷ www.protectcoastalengland.org/littlehampton-seafront/ To scale animations are also available for views from the Bognor Regis Seafront, Highdown Hill, Hollingbury Hillfort and Worthing seafront. No apparent comparable visual impact animations are offered by RWE apart from still images in the PEIR Volumes on-line.

⁶⁸ Chris Tomlinson, Development Manager of Rampion 2

“I am totally opposed to the Rampion 2 project being built along this stretch of the coast and will support any campaigns to resist it.

“I have met the Energy Minister, Anne-Marie Trevelyan MP, to register my concern and she has told me she will look into it.

“I support the Government’s aim for the UK to be a world leader in renewable energy and the Government’s ambitious programme to tackle climate change, but this stretch of the West Sussex coastline is an inappropriate location for such a large wind farm. The English Channel is too narrow to enable the turbines to be positioned far enough out to sea to be acceptable. This proposal does not, therefore, comply with the Government’s recommendations for offshore wind farms of this size.

“The visual impact of the turbines on our outstanding seascape would be hugely damaging, particularly to tourism, which is an important employer in Bognor Regis and Littlehampton. There are far better alternatives for wind farm expansion, for example at Dogger Bank in the North Sea.”

Andrew Griffith, the MP for Arundel and South Downs, and Nick Gibb, the MP for Bognor Regis and Littlehampton, have both stated that it is not the right location for the project. Subsequently in a joint statement with Mr Gibb, Mr Griffith says the proposed Onshore Cable Corridor would impact 'a large swath of countryside and communities' in the constituency of Arundel and South Downs.

Links to and copies of media coverage are included in the Main Report.

Statement by The Littlehampton Society Committee

Janet Crosley, co-chair of The Littlehampton Society, spoke about the potential ecological impacts and disruption to marine ecology, fish and mammals, birds and bats, and especially insects. The latter includes the potential disruption to mass two-way cross-Channel migration of insects that have ecosystem functions and form part of the delicate food web supporting local and regional ecology under growing pressure from human action. It was noted that an estimated 3.5 trillion insects that migrate annually amounting to 3,200 tons of biomass as counted in 2016 UK research. Among these include:

- Lepidoptera (Butterflies & Moths): Painted Lady butterflies that move back and forth from Africa to breed. Others include the Clouded Yellow, Small White, and Longtailed Blue. The Hummingbird Hawk Moth and 96 species of larger moths also migrate from Europe, some common, some rare. The Micro moths, of which there are 1,600 species in the UK, many of these also migrate.
- Diptera (Flies): Four billion Hoverflies migrate to and from Europe annually at altitudes of 150-1200 metres which are important predators of aphids, so good for agriculture and gardens. Some Dragonflies also migrate

All these insects are food for birds, small mammals, fish invertebrates, and each other. They are also important as pollinators. Other examples of wildlife at risk noted include:

Bats: Recent research states bats migrate from Europe. Thousands of bats die every year at Dungeness wind farm and other sites. They are also sensitive to ultrasound, infrasound, and ultrasonic sound. More research is necessary. Even if the small creatures avoid a direct collision with the 650-foot-high (200m) steel structures, they are often killed by jarring air pressures created by the spinning blades, which can cause fatal lung damage.

Marine Ecology: The underwater habitat is not researched enough. RWE says hundreds of thousands of metric tons of sand and boulders will be scoured. What about the plants and creatures living there? All creatures are sensitive to sound in all its wavelengths, even invertebrates move away. Major disruption will occur.

Birds: Spring arrivals of song birds from Europe number around 30,000. Other ones like swifts, swallows, blackcaps and many ducks, geese, and wading birds come to breed and then return to Europe and Africa. Some species come south from Northern and Eastern Europe. Other windfarms may affect them. Turtle doves have reduced by 88% now critically endangered. The RSPB only support windfarms built in the Dogger Bank area, and far west of the Scilly Isles. All these receptors are sensitive and need as much protection as can be afforded.

References

Birds/Bats Refs RSPB
Moths of GB & Ireland. Townsend & Waring 2nd ed. 2019
Micro Moths of GB & Ireland. Sterling & Parsons 2012
Statistics, Hoverflies etc. Dr Reynolds, NRI Greenwich Univ.
Dr J Chapman, Dr Gao Hu Exeter Univ.

Meeting Resolutions

After statements the co-chairs then called for a show of hands to measure support for three resolutions offered by the professional support team for the CSOs, and called for any further resolutions. No further resolutions were offered by participants.

Resolutions considered were thus as follows:

Resolution 1: Participants in this Community-led Public Meeting support and encourage all offshore wind power developments that fully respect relevant Government policy and guidelines to avoid and minimise local harm.

Recognising as discussed in Presentations:

- Govt Policy (i.e. to meet the offshore wind target of 40 GW by 2030 with windfarms far offshore) to utilise the best wind regimes and to avoid / minimise coastal harm.
- Gov Guidelines (i.e. from the Offshore Energy Strategic Environmental Assessment processes: OESEA2 (2011) - the bulk of new offshore wind farm generation capacity should be sited away from the coast, generally outside 12 nautical miles + OESEA3 (2016) to site industrial-scale large turbines >25 miles from National Parks.
- White Report (2020) to avoid and minimise local harm siting industrial-scale large turbines greater than 25 nautical miles offshore (buffer).

Opinion by show of hands: Majority in favour of Resolution 1: Against 3

Resolution 2: Participants encourage ADC & WSCC to share Terms of Reference (TOR) for local impact reports (LIR) with Residents and to have an open process to welcome community input / comment on draft conclusions on the scope & significance of local impacts.

Recognising as discussed in Presentations:

- As part of the 2008 Planning Act process, local authorities will be invited to submit a local impact report (LIR) giving details of the likely impact of the proposed development on the authority's area once the Rampion Application is Accepted (likely in Q1 2022).
- Government guidance strongly encourages the local authorities to use the pre-application period to start their own evaluation of the local impacts of proposed wind farm developments, starting with a Terms of Reference (PINS Advice Note 1)

- Time in the process is tight. The invitation to submit a local impact report (LIR) will be made in the 3-month Pre-Examination following Acceptance and typically stipulates 3 months to submit the LIR for Examination.
- Councils can also make joint LIR and representations on them.

Opinion by show of hands: Unanimous in Favour Resolution 2

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-one-local-impact-reports/>

Resolution 3: Participants feel the Rampion 2 EIA should assess moving turbines 25 miles offshore as a “reasonable alternative”. A non-project alternative assessed in the EIA should be the extension of a wind farm application in Dogger Bank.

Recognising as discussed in Presentations 1 and 2:

- Govt Policy and guidelines as referenced in Resolution 1 is to meet the offshore wind target of 40 GW by 2030 with windfarms far offshore in order to utilise the best wind regimes and to avoid / minimise coastal harms.
- EIA 2017 Regulations require the Applicant’s commercial preference to be compared with reasonable alternatives and a non-project alternative.
- Presently the Applicant proposes to use a “no wind farm investment” or “do nothing” option, as a non-project alternative.
- An approach would have to be made to RWE and Crown Estates to scope out this reasonable alternative and its merits and results made public.

Opinion by show of hands: Large majority in Favour of Resolution 2: Against 2

Closing Remarks and Thanks

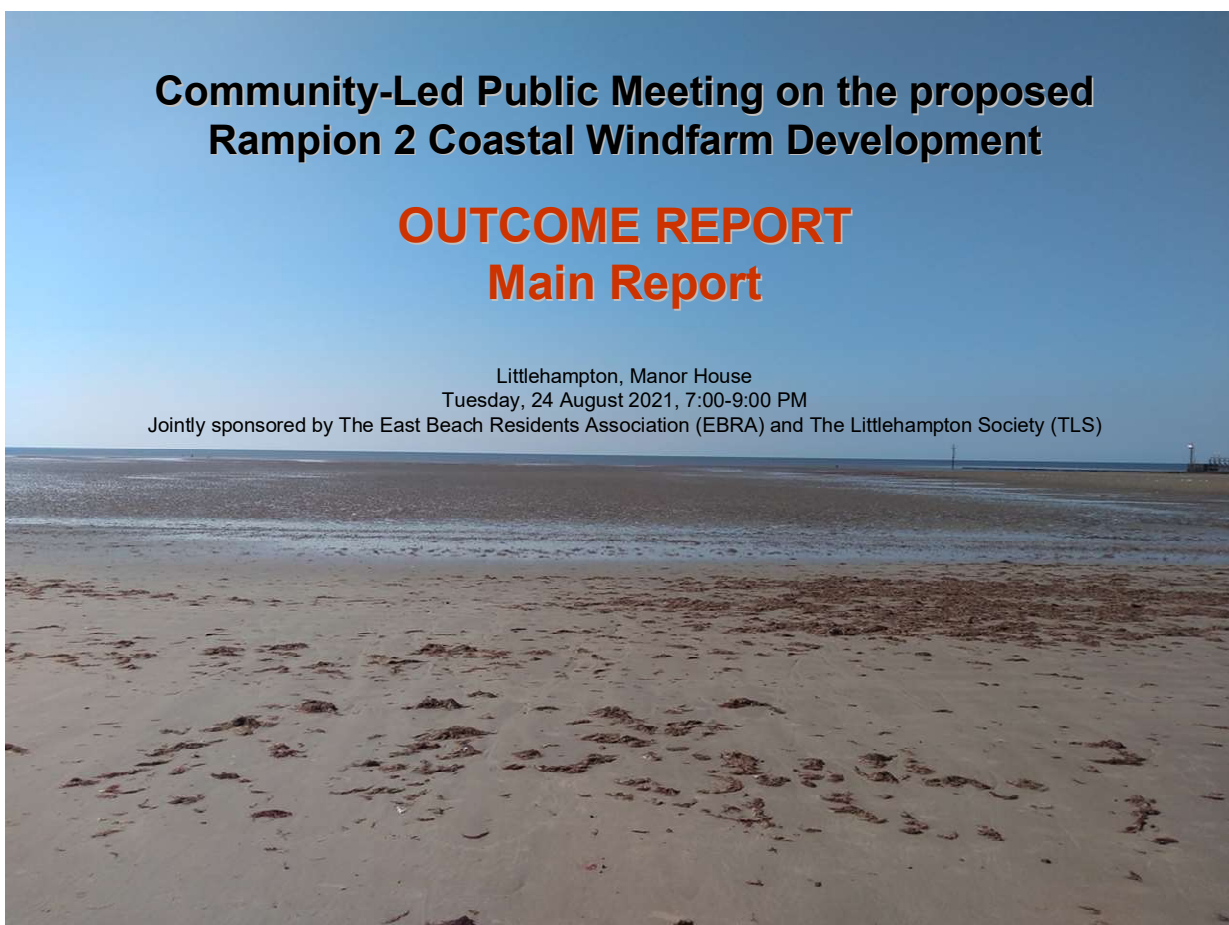
At 9:00 PM the co-chairs thanked all for attending the Public Meeting noting that an Outcome Report would be prepared and shared.

**Attachment B3:
Main Report on the Littlehampton Community-Led Meeting 24th
August 2021 as the first Statutory Consultation response**

**Community-Led Public Meeting on the proposed
Rampion 2 Coastal Windfarm Development**

**OUTCOME REPORT
Main Report**

Littlehampton, Manor House
Tuesday, 24 August 2021, 7:00-9:00 PM
Jointly sponsored by The East Beach Residents Association (EBRA) and The Littlehampton Society (TLS)



This Meeting Outcome Report is presented in two parts: the Summary and this Main Report that elaborates on selected topics arising from the Meeting and provides copies of the presentations and information on media coverage of the Public Meeting.

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The Public Meeting served two aims:

- Firstly to inform conversations between Littlehampton and other south coast residents engaging with Councils and Planning Officers on the Rampion 2 windfarm consent process. This is for the formal pre-application consultation that ends the 16 Sept 2021, as well as the Acceptance and Examination stages in 2022, and
- Secondly, to offer direct input to the Applicant-led pre-application consultation to refine their commercial preferences and finalise an Application for development consent.

1. Why hold this Community-Led Meeting?

Why hold a community-led public meeting instead of leaving it to the multi-national Applicant/ Investor RWE from Germany to inform seaside towns and communities along the Sussex coast about the proposed Rampion 2 development as many people strongly urge?

Opinion is of course divided. Some residents and Councillors emotionally defend Rampion 2 as a gift which must have a free pass without the benefit of understanding what the proposed development actually is, while freely acknowledging they don't care about misconceptions, or how those misconceptions impact on the future enjoyment of the natural environment and well-being of their children and grandchildren who will live on the Sussex coast.

Let's all get informed, not emotional is perhaps one way to characterise the motivation to hold a Community-led Public Meeting on Rampion 2, aiming to inform conversations among Residents and Councillors.

As noted in the Summary Report, the view of community or civil society organisations (CSOs) the Rampion 2 pre-application was moving forward under pandemic constraints with limited scrutiny, starting with the Environmental Impact Assessment Scoping

Box 1: Communications with Planning Aid England

Our community feels COVID lockdown has compromised the scope and scale of consultations on the Rampion Windfarm Extension as envisaged for NSIP pre-applications, with reference to Govt Guidance under the 2008 Planning Act.

Impacted communities and the wider public need time, for example to: a) learn about the scheme, b) discuss it so that we can collectively understand it, c) have the opportunity to talk about and clarify concerns, and, d) thereby provide informed feedback to those who act on our behalf.

These all require face-to-face meetings as many cannot communicate in any other way. Social media and virtual consultations are only for a more limited group of people.

March 2021

Report issued in July 2020. The community and wider experience with the informal consultation held virtually 14 Jan to 8 Feb in 2021 was there was limited awareness of the proposed development, not only among residents and host communities in lockdown unable to meet and distracted by COVID, but also among Councillors.

This is noted in Box 1 where advice was initially sought from Planning Aid England on what could be done, who advised contacting the Planning Inspectorate directly, the Government regulator of the consent process.

From March through April 2021, CSOs in Littlehampton asked if both the Applicant and regulatory authorities would consider a reasonable pause in the formal local consultations until normal public meetings and face-to-face interactions indoors were again possible, likely later in the year or early 2022.

A specific concern was the adequacy and limitations of virtual-only consultations under COVID restrictions. The scale, expanse and proximity of this coastal windfarm proposing to deploy a new generation of very large industrial-scale WTGs sited in inshore waters off the populous Sussex coast warranted everyone's full attention.

The 1,200 MW Rampion 2 scheme as currently proposed is not simply an extension as advertised. It is an entirely different scale than the 400 MW Rampion 1 scheme, with likely visual, socio-economic and ecological impacts that are far greater than the current installation; more like those for the 970 MW Navitus Bay Wind Park development proposed off Dorset and the Isle of Wight that was refused consent in 2015.

The request for a reasonable pause also recognised that the Government Guidelines state that the Development Consent regime for windfarms (NSIPs) front-loads local community consultations into the pre-application stage, ***“to ensure a more transparent and efficient examination process”***. The sense of CSOs was this consent process had moved below the radar. The level of engagement needed for full and transparent scrutiny of the proposal was compromised by past and current COVID restrictions and lockdowns.

Littlehampton CSOs thus proactively offered community input to the statutory Applicant-led Statement of Community Consultations (SoCC) on 30 March 2021, including the offer to hold Community-led Public Meetings once restrictions on indoor meetings were lifted. The request for that pause was declined and the formal Applicant-led consultations were provisionally set to last 6 weeks on a virtual basis starting in April 2021.⁶⁹

While CSOs obviously respected the decision by the Planning Inspectorate not to pause, the rationale for a challenge was submitted to the Ministry of Housing Community and Local Development in the form of a response to a MHCLD call for evidence on the efficacy of virtual meetings and consultations that was in progress and concluded mid-May 2021. This submission featured CSO experiences with the Rampion 2 pre-application to that date and offered suggestions to improve NSIP pre-application consultation procedures in future (specifically on windfarms) to better respect CSO capacity to add value to the pre-application consultation process and a CSO “voice”.

As events unfolded, a shift to start the Rampion 2 consultations on July 16 and extend them to 9 weeks was sufficient to allow the community-led Public meeting that CSOs offered to go

⁶⁹ Draft Statement of Community Consultation (SoCC) March 2021.

ahead in-person on the 24th of August. Meantime, the Applicant has elected to continue the virtual approach to engage communities along the Sussex coast until the 16th of September.

In parallel, many other initiatives initiated by CSOs have been taking place to engage local councils and Residents in seaside towns and communities along the Sussex coast to improve awareness of what is actually proposed.

2. Highlights of Discussions

In Part 2 of the Public Meeting (the Q&A session) most questions were for the Rampion 2 Team. They mainly focused on how local environmental impacts were assessed and addressed and the rationale for locating large turbines so close to shore.

As noted in the Summary Report, one aspect of the Q&A was contrasting views of the “bigger picture”.⁷⁰

The Rampion 2 Applicant-Investor’s view of the **“bigger picture”** was the climate emergency and the assertion that the Rampion expansion would have electrical capacity to power the equivalent of over 1 million homes, saving 1.8 million tonnes of CO2 emissions per year.

The evidence-based view of the **“bigger picture”**, as explain by Dr. Colin Ross was the UK must prioritise investments in offshore windfarms⁷¹ to utilize high wind regime locations first to thus achieve net zero sooner. Moreover, this respects government policy and guidance.

It will avoid (screen out) wind farms with unnecessary socio-economic and ecological harms and leave a better legacy for future generations, not only in terms of a more effective climate action but also by preserving the natural environment and intrinsic value of the Sussex seascape and its role in growing the economy and well-being.

In the Q&A session contrasting views emerged on whether Rampion 2 violated Government guidelines for locating large wind turbines in coastal areas, as provided in the Offshore Energy Strategic Environment Assessment (OESEA) process including recommendations for a 40km (25 mile) buffer between highly sensitive visual receptors and large scale turbines of the type proposed for Rampion 2.

The Rampion team argued that the Crown Estates would not have auctioned the site to the highest bidder and statutory consultees such as Natural England would have raised concerns if there were a conflict with policy, and have thus already given Rampion 2 a pass as far as regulations and guideline compliance are concerned.

The counter response is the Crown Estates is responsible for leasing areas of the seabed but not to approve the design. The development consent process for offshore wind farms has been structured so that particular consideration of the design (layout, size and number of turbines) is actually made only at the Examination stage once the developer has submitted a particular design. It is up to the developer to follow the guidelines in their design.

⁷⁰ Chris Tomlinson, Development Manager of Rampion 2

⁷¹ £3 billion in the case of Rampion 2 to be repaid via consumer tariffs in a highest international bidder process

The consent procedure is the Planning Inspectorate appoints an Examination Authority for Rampion 2 (a Panel of 4 people likely) to take a view on whether available strategic guidance as a safeguard needs to be fully respected, or relaxed. In the case of the Navitus Bay Wind Park Application refused in 2015 with 200 metre tall turbines (and a similar MW scale and distance inshore as Rampion 2) the Examination Authority felt the OESEA strategic guidance at that time (OESEA2) should be respected.

Rampion 1 that was consented in 2014 is nothing like the scale, turbine size and expanse of either of the 970 MW Navitus Bay Wind Park proposal (refused consent in 2015) or the 1,200 Mw Rampion 2. While the Applicants for Navitus Bay argued their project should not be refused because the Rampion 1 scheme was consented and had thus set a precedent for not respecting the visual buffer guidelines, the Examination Panel did not agree.

The 25 mile (40KM) buffer referred to in the Community Resolution 3 and in the Rt Hon Minister Gibb's statement is from the Business, Energy and Industrial Strategy (BEIS) updated work on seascape and visual buffers in 2020. The Secretary of State BEIS takes the final decisions on Windfarm consent applications on the advice of the Examination Authority.⁷²

The context for the buffer guideline is, "These seascape and visual buffer studies have informed two Strategic Environmental Assessments (OESEA2, [OESEA 3](#)) and now a stand-alone report has been published in April 2020 ([2019/2020 update](#)). These provide strategic guidance to developers and regulators and are likely to be taken into consideration"
<https://www.whiteconsultants.co.uk/expertise/seascape-character-assessment/oesea-round-3-offshore-windfarms-seascape-study/>

The 25 mile (40 km) "strategic guidance" is the **suggested distances for visual buffers**, which depend on the coast's characteristics (sensitivity and value) and the height of wind turbines (sea to highest blade tip in meters).

This is summarised in Table 13.4 taken from the BEIS Seascape and Visual Buffers update in 2020 referred to earlier. These are minimum distances from the visual receptors. The Rampion 2 PEIR classified the Tourism sector in Sussex Bay as a high sensitivity visual receptor, for example, and there is the South Down National Park as part of the Sussex Heritage Coast and the Coastal Path.

⁷² White Consultants was engaged by BEIS to prepare the update. Available at: <https://www.gov.uk/government/publications/uk-offshore-energy-strategic-environmental-assessment-research-projects>

Table 13.4 - Possible range of buffers for single offshore developments

	Value to seascape	Potential sensitivity	Suggested distances for buffers						Notes
			107-145m turbine 3.6MW	146-175m turbine 5MW	176-224m turbine 7/8MW	225-300m turbine 15MW	301-350m turbine 20MW	351-400m turbine 20MW+	
National Parks and AONBs with coastal special qualities- often characterised by presence of Heritage Coast designation. Multiple statutory landscape designations.	Very High	Very High	34km	34km	34km	40km	40km	40km	Based primarily on limit of visual significance
National Parks (England and Wales) AONBs World Heritage Sites (Landscape based- e.g. Dorset and East Devon Coast)	Very High	High	19km	22km	26km	39km	40km	40km	Based primarily on SVIA 2019 analysis with wireline analysis and limit of visual significance for larger turbines
Heritage Coasts National Trails	High	Medium/ high and high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers
World Heritage Sites (e.g. coastal castles, forts and ancient sites) Landscapes of Outstanding and Special Historic Interest (Wales) Large SAMs Historic Parks and Gardens	Medium-high	Medium and medium/ high	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate	Intermediate between high and medium sensitivity buffers

3. Other Comment on the Rampion 2 PEIR

These comments together with the Summary Report and Main Report are offered as specific input to the Statutory Consultations on Rampion 2.

The three Resolutions from the Public Meeting embody two broader concerns about the Rampion 2 PEIR, in particular on a.) what reasonable alternatives are considered in subsequent EIA work (post-consultation from the 17th of Sept 2021 by the Rampion 2 Applicant, where environmental effects including socio-economic impacts must be compared with the preferred development, as in the Environment Regulations (2017), and b) the nature of the assumptions made and methods use to arrive at the conclusion the PEIR makes that there will be negligible local socio-economic impacts on seaside towns and coastal communities due to the construction and operation of Rampion 2 (over 25 years).

On the reasonable alternatives question, Resolution 3 from the Public Meeting is relevant:

Resolution 3: Participants feel the Rampion 2 EIA should assess moving turbines 25 miles offshore as a “reasonable alternative”. A non-project alternative assessed in the EIA should be the extension of a wind farm application in Dogger Bank.

Recognising as discussed in Presentations 1 and 2:

- Government Policy and guidelines as referenced in Resolution 1 is to meet the offshore wind target of 40 GW by 2030 with windfarms far offshore in order to utilise the best wind regimes and to avoid / minimise coastal harms.
- EIA 2017 Regulations require the Applicant’s commercial preference to be compared with reasonable alternatives and the non-project alternative.
- Presently the Applicant proposes to use a “no wind farm investment” or “do nothing” option, as a non-project alternative.
- An approach would have to be made to RWE and Crown Estates to scope out this reasonable alternative and its merits and results made public.

The Rampion 2 PEIR appears to ignore recent national guidance offered in the OESEA strategic planning process relating to visual buffers mentioned previously.

A further and related consideration is to address the statement that Natural England makes in its 04 August 2020 comment on the EIA Scoping that is essentially about the reasonable alternatives to consider in the EIA, ***“Therefore we strongly advise each individual project i.e. extension and Rampion 2 are assessed individually and combined to provide consenting options for decision makers.”***

The context is elaborates by Natural England as follows (NE Letter to PINS on page 202 of the Scoping Opinion Report).

“It is not clear to Natural England from the scoping report what is actually being proposed under the umbrella of the Rampion 2 Offshore Wind farm NSIP project. We believe that the extension to the original project under the 2017 extension round will have a capacity of 400MW (equivalent to the original Rampion project) and be located to the west of this project. And in addition there is also being proposed a further Round 3 project known as Rampion 2 located to the south and east of the original project, which will have a capacity of 800MW. The combined capacity of these two projects is 1200MW which would quadruple the scale of the existing project capacity. Therefore given the potential significant issues NE has raised as part of this scoping document and the issues we previously raised in relation to Rampion 1 we advise that there is a risk that the scale of the proposed combined development maybe beyond what could be considered acceptable. Therefore we strongly advise each individual project i.e. the extension and Rampion 2 are assessed individually and combined to provide consenting options for decision makers.”

The comment offered to RWE by CSOs herein is to ensure reasonable alternatives are fully explored and compared in the EIA process regarding the offshore element of the proposed development and include reasonable alternatives that fully respect OESEA guidelines on visual buffers and with Natural England opinion in selecting those reasonable alternatives. This is provided in Resolution 3 from the Community-led Public Meeting.

Local Impacts in the PEIR

A general CSO concern is about how the Rampion 2 PEIR addresses, values and determines the significance of local impacts. To illustrate, relevant Chapters in the PEIR indicate a negligible impact on the tourism economy and investment. The PEIR explains those conclusions were arrived at primarily after desk study undertaken during the COVID-19 lock down period when there was no opportunity to undertake comprehensive visitor surveys like Bournemouth Borough Council undertook (commissioned Visit England to undertake) for the Navitus Bay application presumably due to lockdown it is assumed.

The Rampion 2 PEIR work thus appears restricted to a review of what appears to be a narrow selection of many dated studies from the USA and UK, some studies even 15 or more years ago when wind turbines were far smaller, which was then combined with the professional judgement of the Rampion EIA team to arrive at a subjective conclusion – that UK offshore windfarms do not adversely affect tourism and that will be the case with Rampion 2.

One observation is where the PEIR makes reference to current experience in the UK the experience cited is not necessarily transferable or even relevant. For example, the Dudgeon

Offshore Wind Farm located 32 km offshore north of Cromer (20 miles) off the coast of Norfolk, in the North Sea that was commissioned in 2017 with a similar turbine scale as Rampion 1 (i.e. much smaller turbines than Rampion 2 turbines) is actually offered as evidence in the RWE PEIR of negligible adverse impacts on tourism from windfarms generally.

Thus by extension the PEIR concludes Rampion 2 will similarly have no impact, despite having much larger turbines and being far closer to the South Coast tourism offers and spreading across the seascape – unlike the Dungeon Windfarm and unlike the existing Rampion installation.

Yet at the same time the PEIR appears to make no reference to the work done by Bournemouth Borough Council in 2014 on a comparable nearby wind farm Application on the South Coast (Navitus Bay) similarly sited inshore, which was refused consent in September 2015. Again the comparisons the PEIR offers with Rampion 1 are tenuous and misleading for all these reason. Thus any comparison of local impacts (or informed public acceptance) must be highly qualified and placed in context. Hence the value and importance of the Local Impact Report especially in this context as a necessary safeguard.

One key question is whether RWE will now go back post-pandemic and do those missing visitor surveys not undertaken (due to Covid-19 Restrictions) to thus give greater confidence to residents of host communities and the Examination Authority that the conclusions reached in the Rampion PEIR to date on local impacts are indeed valid.

4. CSO and Community engagement with Councils

Resolution 2 from the Public Meeting and the statement the Rt Hon Nick Gibb offered to inform discussions between residents and Councillors at the Littlehampton Public Meeting 24th August are reference points for community organisation engagement on the next steps Councils may take in respect to their role in the Rampion 2 consent process.

Specifically:

Resolution 2 of the Public Meeting: Participants encourage ADC and WSCC to share Terms of Reference (TOR) for local impact reports (LIR) with residents and to have an open process to welcome community input / comment on draft conclusions on the scope & significance of local impacts.

Recognising as discussed in Presentations:

- (3) As part of the 2008 Act process, local authorities will be invited to submit a local impact report (LIR) giving details of the likely impact of the proposed development on the authority's area once the Application is Accepted (likely in Q1 2022).
- (4) Government guidance strongly encourages the local authorities to use the pre-application period to start their own evaluation of the local impacts of proposed wind farm developments, starting with a Terms of Reference (PINS Advice Note 1)
- (5) Time in the process is tight. The invitation to submit a local impact report (LIR) will be made in the 3-month Pre-Examination following Acceptance and typically stipulates 3 months to submit the LIR for Examination. Councils can also make joint LIR and representations on them.

The positions of the area MP are set out in local Media as in Part 5 of this Main Report: <https://www.littlehamptongazette.co.uk/news/politics/west-sussex-mps-weigh-in-on-rampion-wind-farm-proposals-3361395>

The sense of Littlehampton and other CSOs is the immediate priority is to ensure an open and collaborative approach to prepare the Local Impact Reports on the Applicant's commercial preference. The view is a well prepared LIR where TOR are made public and there is an opportunity to comment will better inform the public and the Examination Panel and specifically must offer a reasonable basis to compare and scrutinize the Applicant's selected sources of information and data, analysis, assumptions and conclusions about local impacts.

CSOs are hopeful therefore that Council Officers will give serious consideration to publicly sharing a copy of the Terms of Reference for the local impact report on Rampion 2 they have embarked on in a timely way. That would greatly help the CSO professional support team to establish priorities and resources for any community-based work to potentially address gaps, such as relating to surveys and analysis of impacts on the Tourism economy, conducting literature reviews and research on relevant experience elsewhere, and cross-checking with relevant work such as the Navitus Bay Wind Park LIR, which in many respects is analogous to Rampion 2 (not Rampion 1) and raises similar issues.

CSOs are interested in whether Councils are planning a joint Local Impact Report submission (such as WSCC, ADC and LTC together) as well as in cooperation with other Town and Parish Councils as encouraged in the PINS Advice Note 1.

CSOs view the LIR as an important opportunity for a collaborative effort to understand the significance of the local impacts of the Applicant's commercial preference for the development as well as reasonable alternatives, where communities and planners can make the case for the best outcome serving Residents' interests (i.e., avoiding and minimising local harms), recognising that RWE is responsible to make the case for their commercially preferred development and the extent that it respects the Govt policy & guidelines such as the OESEA process guidelines on visual buffers discussed in the previous section of this Main Report.

An overarching concern and lesson that CSOs draw from the three South Coast wind farm proposals to date (Rampion 1, Navitus Bay and now Rampion 2) is the Bournemouth Borough Council's analysis of the nature, magnitude and significance of local impacts contradicted and challenged the Navitus Bay Applicant's view as provided in the Applicant's ES and Examination submissions.

To illustrate, based on detailed visitor surveys the Bournemouth Borough Council's local impact report concluded the Navitus Bay Wind Park developer would need to provide annual mitigation or compensation of just over £100 million p.a. or £2.5 billion over the project life to offset expected loss of trade.

It criticised the methods, and what it termed as flawed criteria and assumptions and the selective sources of data offered in the Applicant's Environmental Statement (ES) to appraise the impacts likely to result from the development and whether the impacts should be considered to be significant or not significant.

It also concluded the visitor survey done for the ES by the applicant were small, narrow and limited. Bournemouth Borough Council also raised concerns about the nature of the visualisations used in the Applicant's visitor survey and argued which, if not sufficiently

clear and accurate, will have potentially distorted the opinion of those being interviewed. It noted the applicant promised to redo those but in the end did not. Bournemouth further argued that the late delivery of all the vital tourism impact research at the very end of the consultation period and at the busiest time for tourism businesses has frustrated meaningful dialogue with the industry.⁷³

On the other hand, the Navitus Bay Applicant argued there was no robust evidence that their development would have any adverse tourism or socio-economic impacts at the local or regional levels (as RWE now argues in its PEIR for Rampion 2). The Examining Authority for Navitus Bay concluded the Applicant erred in lessening tourism and negative tourism-related job impacts in Dorset and that the development would have a greater impact in selected local areas. It concluded that overall the magnitude of socio-economic impacts may fall somewhere between the two competing claims.

In the Community-led Public Meeting participants discussed the need for serious scrutiny of the Applicant's PEIR and subsequent EIA was clearly warranted.

This also was a topic of conversation later in ADC Council meetings as noted in the media coverage of the Rampion 2 consultations

Reservations about Rampion Wind Farm extension voiced by Arun councillors: Councillors have voiced concerns over plans to extend the Rampion Wind Farm and want to see a 'local impact report'. <https://www.littlehamptongazette.co.uk/news/politics/reservations-about-rampion-wind-farm-extension-voiced-by-arun-councillors-3378155?amp=>

Otherwise, CSOs hope to explore the possibility of direct community input and support on the local impact reports not only to add value where possible (e.g., citing and contributing relevant research, having public meetings to receive feedback on work in progress at appropriate stages, and on the draft report before it is submitted) but also to have a mechanism to measure and demonstrate host community and wider public support on the Sussex Coast of the conclusions and opinion the Local Impact Report offers the Examining Authority.

5. Media Coverage of the Public Meeting and Consultation Aftermath

There was some local print media coverage of the Littlehampton Public Meeting as well as social media coverage and broadcast media coverage of consultation positions and announcements that converged around the same time as the Littlehampton Public meeting (some possibly stimulated by it at least in respect to timing), such as the area MP Statements on Rampion 2.

Note this section can be seen in the full report available on request. Only the links are shown here:

⁷³In 2013 Bournemouth Borough Council (BBC) commissioned Visit England to conduct a major visitor survey providing fresh insight into the resorts visitor profile, how and when visitors plan their trips, what they do, how much they typically spend and what they think of the experience. In contrast, as Bournemouth Borough Council requested the "Applicant failed to undertake comprehensive research across a full year and across all markets. The fact that this did not happen as it should have done in 2012, removed the opportunity for a full and properly informed tourism industry consultation in 2013" BBC Local Impact Report Para 6.1.3

Print Media Coverage:

These articles are included to provide a sense of the coverage and for the reader to assess the balance:

Tourism fears over Rampion wind farm expansion - 'You will see them almost everywhere'

Fears have been raised that proposed new Rampion wind turbines could put off tourists from visiting the area.

<https://www.littlehamptongazette.co.uk/news/environment/tourism-fears-over-rampion-wind-farm-expansion-you-will-see-them-almost-everywhere-3359191>

Debate continues over Rampion wind farm proposals on West Sussex coast - 'It's like something out of War of the Worlds' A 'stealth consultation' on proposals for a new wind farm off the West Sussex coast has been slammed by residents.

<https://www.littlehamptongazette.co.uk/news/people/debate-continues-over-rampion-wind-farm-proposals-on-west-sussex-coast-its-like-something-out-of-war-of-the-worlds-3367977>

West Sussex MPs weigh in on Rampion wind farm proposals

Two MPs have expressed serious concern over the proposed Rampion 2 wind farm expansion off the West Sussex coast.

[West Sussex MPs weigh in on Rampion wind farm proposals | Littlehampton Gazette](#)

One more week to have your say on windfarm Proposal

Bognor Observer, week of 6 September

Reservations about Rampion Wind Farm extension voiced by Arun councillors: Councillors have voiced concerns over plans to extend the Rampion Wind Farm and want to see a 'local impact report'. <https://www.littlehamptongazette.co.uk/news/politics/reservations-about-rampion-wind-farm-extension-voiced-by-arun-councillors-3378155?amp=>

Post-Article Correspondence with Journalists / Writers:

Correspondence included the suggestion that it would be helpful to provide all sources covered by the Littlehampton Public Meeting Aug 24, not just the developers, including:

The Consultation Website of Rampion 2 Windfarm Proponent
<https://rampion2.com/consultation/>

Protect Coastal England
<https://www.protectcoastalengland.org>
Windfarm Animation <https://www.protectcoastalengland.org/littlehampton-seafront/>

Views of the Littlehampton Society Committee on the Rampion 2 Proposal

Social Media Coverage:

There was some commentary in social media about the Littlehampton Public Meeting on the 24th of August 2021.

A number of posts on Facebook and Twitter indicated the issue was largely conflated emotionally by some as to whether people were in favour of wind farms, or not; or were they for climate action, or not, i.e. If you did not wholly support Rampion 2 you were against windfarms and worse.

To those social media users there appeared to be less concern about evidence of the relative merits of the Applicant's proposed Rampion 2 development or the consideration of reasonable alternatives as effective climate actions (or to compare them), or even to consider the value of avoiding and reducing local harms of inshore wind farms by ensuring they fully respect the Government guidance on visual buffers as set out in Sections 2 and 3 in this Main Report. That refers to the OESEA guidance and specifically the White Report 2020, "Review and update of seascape and visual buffer study for offshore wind farms" available on the BEIS website for offshore energy strategic plans.⁷⁴

Resolution 1 in the Public Meeting passed by a large majority demonstrated that virtually everyone in the room (save two) supported offshore windfarms that fully respected government policy and guidelines for them. This is one of the facts to be emphasised in ongoing social media engagements, to the extent it is feasible – assuming people will abandon conformational bias (that we all have) so that a more informed social media discussion can be progressed and contribute to awareness raising, instead of dividing people.

Similar comments apply to some of the Twitter coverage of the Littlehampton Public Meeting referred to in media. To illustrate, a tweet by one Councillor who attended the Meeting questioned the time allocation to the Rampion Team (asking was it fair) and asked if anyone could provide evidence of impacts of Rampion on tourism in Brighton. Subsequent tweets by others asked if Rampion 1 had negatively impacted on Tourism in Worthing.

Email responses were provided to some of those Tweets to help clarify and respond to misconceptions and start a dialogue, for instance:

- Firstly, that the representatives of the Rampion team (RWE) participated virtually in the community-led public meeting 24th August but only having accepting the invitation the afternoon before the meeting after routinely rejecting requests for them to attend first extended on the 8th of July 2021, 6 weeks previously. That invitation was repeated on other occasions including the 21st of July 2021 Project Liaison Group PLG meeting (held virtually) but was dismissed and declined each time.
- The larger situations is the Rampion 2 marketing team already dominates every aspect of information flow in the Applicant-led pre qualification stages, including exchanges with the media, statutory consultees, affected communities and the public, more so when it all conducted virtually and digitally.

⁷⁴ White Consultants was engaged by BEIS to prepare the update. Available at: <https://www.gov.uk/government/publications/uk-offshore-energy-strategic-environmental-assessment-research-projects>

- One purpose of CSOs sponsoring a Community-led Public Meeting was to address this power and information imbalance and allow evidence-based information be presented in face-to-face discussion to help balance the consideration. This respects the Government’s own guidance for pre-qualification consultations, as noted below.
- It was otherwise to escape the single narrative trap and to thus help (hopefully) to ensure greater scrutiny of Rampion 2 as is envisaged in the Government guidelines on pre-qualification consultations – which never anticipated lockdown or NSIP Applicants turning to virtual-only community consultations.
- As evidence Littlehampton CSO made a submission to the Ministry of Housing, Community and Local Governance in May-2021 that documents the limitations of virtual-only consultation.
- A further view is illustrated in the next section on Media Coverage of the Middleton-on-Sea meeting that sought to replicate the Littlehampton effort of holding face to face meeting (where Rampion attended virtually). Media coverage of that meeting is also cited below for convenience

A ‘stealth consultation’ on proposals for a new wind farm off the West Sussex coast has been slammed by residents.

<https://www.littlehamptongazette.co.uk/news/people/debate-continues-over-rampion-wind-farm-proposals-on-west-sussex-coast-its-like-something-out-of-war-of-the-worlds-3367977>

Again recognising that Government guidelines for pre-application consultations⁷⁵ state the consent regime for wind farms, deemed as nationally significant infrastructure projects (NSIPs), front-loads local community consultations into the pre-application stage “to ensure a more transparent and efficient examination process”.

The clear aspiration of MHCLG Guidance which did not anticipate a pandemic lockdown is, “Effective pre-application consultation will lead to applications which are better developed and better understood by the public, and in which the important issues have been articulated and considered as far as possible in advance of submission of the application to the Secretary of State”.

- In respect to local socio-economic impacts, it was explained the 1,200 MW Rampion 2 is not simply an extension of the existing facility as advertised. It is an entirely different scale than the 400 MW Rampion 1 scheme, with likely visual, socio-economic and ecological impacts far greater than the current installation; more like those for the 970 MW Navitus Bay Wind Park development proposed off Dorset and the Isle of Wight that was refused consent in 2015.
- It was also noted that tourism in Brighton and Littlehampton / Bognor are very different. Brighton has multiple tourism offers of an urban nature whereas further west along the Sussex coast the coastal tourism offer is very much more tied to and reliant on the natural seascape, land-sea interface, seaside recreation and the intrinsic value of the coast to residents and visitors alike.

In the end, CSOs felt the Public Meeting helped to increase awareness of what is on offer with Rampion 2 and the nature of the adverse impacts so that people can better judge the

⁷⁵ MHCLG Guidance for NSIP pre-applications (last updated in 2015)

<https://www.gov.uk/government/publications/guidance-on-the-pre-application-process-for-major-infrastructure-projects>

balance for themselves. It helpfully exposed some of the key issues that we need to understand that were not apparent or emerging in the virtual-only consultations to date led by the Applicant and on which the Examination Panel will deliberate next year.

It underscores the CSO sense than an immediate priority now is to ensure an open and collaborative approach to prepare the Local Impact Reports on the developer's commercial preference to thus better inform the public and the Examination Panel. CSOs have asked ADC and WSCC planners if they can share the TOR for their LIR work as a first step and have a mechanism for appropriate public consultation on the draft LIR before it is submitted.

Broadcast Media Coverage:

A number of TV channels included coverage of the Rampion 2 Consultation, though not specifically covering the Public Meeting on the 24th.

6 Invitations and Agenda

Councillors at the three levels, area residents and community representation from along the coast were invited on an RSVP basis due to space limitations in the venue. Invitations were extended in stages starting with “key influencers” moving on to invite members of CSOs and Residents via their organisations.

There was a maximum capacity turnout with 80 people attending in-person, including many Councillors from all three levels attending, together with residents from the Littlehampton area and other Sussex coastal communities. Close to 20% of participants were Councillors and other senior officials including Cabinet Members from Arun District Council (ADC) and West Sussex County Council (WSCC) and Mrs Denise Patterson Deputy Lieutenant (West Sussex).

The following was included in most direct invitation letters

Summary:

Littlehampton Community-led Public Meeting on Rampion 2, Tuesday 24 August

The Purpose of the meeting:

Community organisations in Littlehampton are highly supportive of offshore wind power developments that fully respect Government policy and guidance.

Because the official public consultations led by the Rampion 2 Team are virtual-only (computer screens and devices), and because this is the only formal public consultation in the development consent process for Rampion 2, as a host Community we feel meeting together now to discuss and exchange of views on the Applicant's commercially preferred development scheme and all reasonable alternatives is necessary and important. This will help inform our individual and collective responses to the proposal.

We are inviting Councillors at the three levels, area residents and community representation from along the coast on a RSVP basis. The Meeting Outcome report will be formally submitted as an input to the Consultation and circulated more widely.

The Format of the Meeting:

David Warne, Chairman of East Beach Residents Association (EBRA) and Elizabeth Marogna, Hon Secretary the Littlehampton Society (TLS) will co-chair the meeting on 24th August.

After welcome remarks and introductions:

Part 1: Three presentations of up to 20 minutes each, starting with a video stream of the Rampion 2 Team's virtual consultation introduction and related overheads.

Part 2: A "speaker's panel" to address public questions and have discussion in an open Q&A session moderated by the co-chairs.

Part 3: Time for community organisations and others to offer views or position statements (as they may wish) and for participants to offer resolutions or key questions to consider.

Dr Colin Ross of Protect Coastal England (PCE, link below) is an invited in-person presenter (second link below). Other in-person presentations for Part 1 include an illustration of what is proposed from the 28 Chapter report we are consulted on (see first link below), and one the Development Consent Order process for Rampion 2: What Next, illustrated by lessons extracted from the three south coast wind farm proposals since 2010, namely, the existing Rampion 1 Development (Applied for in 2010, Consented in 2014), the Navitus Bay Wind Park 10 km south of Dorset and the Isle of Wight (Applied for in 2010, Refused in 2015) and the current Rampion 2 pre-application (with documented experience to date).

For Further Information:

The Consultation Website of Rampion 2 Windfarm Proponent
<https://rampion2.com/consultation/>

Protect Coastal England

<https://www.protectcoastalengland.org>

Windfarm Animation <https://www.protectcoastalengland.org/littlehampton-seafront/>

Views of the Littlehampton Society Committee on the Rampion 2 Proposal

<https://thelittlehamptonsociety.org.uk/rampion-2-proposals>

Presentations (Full Versions)

Note this section can be seen in the full report available on request.

rampion2@westsussex.gov.uk

PDF COPY of EMAIL to PINS with Supplemental Notes:

- Supplemental Information Note (1)
On the rationale and merits for planning conditions in the Rampion 2 Case
- Supplemental Information Note (2)
Following PINS Advice on Protocols to raise pre-application consultation concerns

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Emily Davies
Rampion 2 Case Manager
Planning Inspectorate

12 August 2023

Subject: Adequacy of Pre-Application Consultations (AoC) on Rampion 2

Dear Rampion 2 Team,

We draw your attention to the adequacy of consultation (AoC) concerns on the proposed Rampion 2 Development that members of interested and affected community organisations in the Littlehampton area have shared with the Applicant and Interested Parties.

We have asked our local authority Arun District Council (ADC) to consider and reference our community input in their statutory AoC response to the Planning Inspectorate (PINS). We made a similar request to West Sussex County Council (WSSCC) and informed our Town Council.

Our full AoC submission with detailed evidence originally prepared in January 2023 when the Rampion 2 Application was imminent is attached as a PDF. It comprehensively documents the Statement of Community Consultation (SoCC) and other AoC failings that our community and others witnessed over the past 3-years, since the first informal on-line consultation early in 2020.

We have followed the protocol in relevant PINS Advisory Notes and FAQ guidance to take up consultation concerns first with the Applicant directly; then local authorities and Councils; and finally PINS - if inadequacies we flagged were not sufficiently acknowledged or resolved.

Based on what we witnessed, our collective view is that the Applicant demonstrably failed to achieve pre-application consultation aims and standards as set out in PINS Advisory Notes and prescribed in the Planning Act. It did not meet the prescribed Adequacy tests.

And while we appreciate the Applicant faced challenges with COVID restrictions during the initial pre-application period, for a £3+ billion project of this sheer scale, significance of impact and transformative nature, those aspects of the Applicant-run consultations that are clearly inadequate need to be meaningfully addressed in advance of the Examination.

As is noted consistently in the PINS Advice Notes, “*The importance of consultation during the Pre-application stage cannot be overemphasised, given the ‘front loaded’ approach established by the PA (2008)*”.

Conditional Acceptance: a principled way forward?

We have proposed to our Councils that if the Rampion 2 scheme is to be passed on to Examination, despite the documented SoCC and other AoC failings (major and minor) - it should be a **conditional acceptance only**.

As you are aware, the use of planning conditions is an embedded principle and mechanism in UK planning practice.¹ We argue the Rampion 2 case meets all the tests for use of conditional acceptance or conditional approval to proceed to Examination in this case.

Thus if this Application is to be accepted, we believe it is fair, reasonable and practical to have the Applicant address outstanding AoC failings during the pre-Examination stage as the Applicant prepares for the Examination. We understand the pre-Examination stage has no fixed timeframe, though it is typically 3-4 months, which should be more than ample time to satisfy the conditions we have suggested, or where there is a 6-week clock.

Interested and affected local residents and community organisations could support that approach **provided the conditions are sufficient** and also provided there is reasonable time where people can still register as Interested Parties (IPs) to make a Relevant Representation. That would be after the conditional acceptance terms have been met to the satisfaction of PINS and the outcome advertised in the community and to stakeholders.

We also take relevant PINS FAQs into account that explain the metrics and tests that PINS lawfully applies when considering an Application for Acceptance, as well as the Government’s stated ambition to speed up the DCO process for energy infrastructure.

Moreover, it materially reflects and respects the call by the Parliamentary Committee on Climate Change (PCCC) for urgent reform of the NSIP (Energy) consenting process; namely:

“a number of processes – including planning, consenting and connections – must be urgently reformed to deploy infrastructure at sufficient speed to deliver the required range of system components by 2035.” (PCCC, “*Delivering a Reliable Decarbonised Power System*”, 9 March 2023, <https://www.theccc.org.uk/publication/delivering-a-reliable-decarbonised-power-system/>)

We believe this is a common-sense way and opportunity to lift the quality of the Rampion 2 pre-application consultations to an adequate level and reduce exposure to a potential Judicial Review. It is in everyone’s best interest.

It reduces uncertainty for the Applicant.

¹ <https://www.gov.uk/guidance/use-of-planning-conditions>

More broadly, it will serve to improve the increasingly strained local community and wider public confidence in the DCO process, amid rapidly escalating concerns on how the UK's NetZero ambition is delivered.

Six specific actions the Applicant may be asked to undertake to address the known AoC failings during the pre-Examination period that we suggested to ADC and WSCC are included as a separate 1-page PDF attachment to this email. There may be other conditions that other stakeholders offer or will identify if asked by PINS.

Also for your convenience and for sharing at our end, we attach this email in PDF form along with two Supplemental Notes that offer additional relevant argument for the use of planning conditions, if PINS is inclined to accept the Rampion 2 case for Examination.

Those additional concerns include:

- The need to rebalance seriously one-sided Pre-Application messaging from the Applicant where they lacked credible evidence, which together with consultation practices not fully respecting the SoCC terms – had the effect of discouraging informed objections to the proposed development.
- The lack of respect for the prescribed use of the 'Rochdale Envelope' as the basis for pre-application consultation and statutory comment on the likely extent and significance of impacts. The preferred development (the offshore component) that the Applicant announced in early 2023 in fact steps outside the "worst case" envelope that was formally consulted - yet the Applicant claimed otherwise (as explained in Supplemental Note 1).
- Information from community interactions with local authorities and councils on the limiting and limited extent of their involvement in pre-application responses.
- The "chilling effect" of the combination of SoCC violations (minor and major) and claims about the benefit-risk tradeoffs of the proposed development that were tactically delivered in virtual /digital only consultations, in virtual briefings to Councils at all levels (including the Community Project Liaison Groups in 2023) and in media statements - where such claims could pass uncontested but still have a significant influence– regardless of their credibility.
- All together, our experience was that the consultation inadequacies had the effect of limiting and discouraging informed objections to the Applicant's proposal, as well as discouraging informed consultation responses that may otherwise have helped to improve the Applicant's proposal based on local knowledge and views.
- That pushes against the stated objectives of pre-application consultations for major infrastructure as set out in PINS Advice Notes and the Planning Act (2008, revised) as we reference in the Supplemental Information Note 1 in the attached PDF.

Overall, our experience was that the consultation unduly limited local voice, not only in the pre-application stage as noted, but it also discouraged many in our community from even thinking about registering in future as Interested Parties to participate in the Examination – Essentially why bother?

We thus argue for taking reasonable, proactive steps during the pre-Examination to remedy the documented consultation inadequacies and to inform stakeholders of the outcome of those remedial actions.

As a principled way forward we hope authorities give substantive weight to this and similar evidence in reaching Acceptance stage decisions on the Rampion 2 case.

With regards and respect,

Lawrence Haas and Faye Christensen

Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>

The Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>

Affiliated with Protect Coastal Sussex (PCS) <https://www.protectcoastalsussex.org/about>

Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers of the above mentioned organisations.

Attachments to the PDF version include:

- Supplemental Information Note (1)
On the rationale and merits for planning conditions in the Rampion 2 Case
- Supplemental Information Note (2)
Following PINS Advice on Protocols to raise pre-application consultation concerns
- Recent email from as correspondence chain with local authorities on AoC concerns

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Supplemental Information Note (1)

On the rationale and merits for planning conditions in the Rampion 2 Case

Further reasons for the use of planning conditions if PINS is inclined to accept the Rampion 2 scheme for Examination irrespective of documented AoC failings, are offered below.

They are both case-specific (hence the nature of some conditions that we ask ADC and our County Council to consider in their statutory responses), and more generally aiming to support the delivery of timely, beneficial reform to the consenting process for the Rampion 2 case that Parliament (the PCCC) has urgently called for in March 2023.

(Note: Apologies for the length of these Supplemental Notes but we feel it is important and relevant given what is at stake, and to get these issues on the table now - as seen from the perspective and experience of directly interested and affected communities. They are provided again in the attached PDF this email) to facilitate sharing).

Wider Context:

The wider context for use of planning conditions are the presence of clear downsides of having Applicant-led consultations front-loaded in the DCO process – all significantly amplified in the Rampion 2 case.

It is undeniable that the current DCO process allows commercial Applicants a free hand in public messaging about the design and benefit-risk tradeoffs of their commercial proposals, which they can advance largely unchallenged - regardless of their credibility.

We saw there was no apparent procedure to balance unfounded claims about the performance and benefit-risk tradeoffs that aim to shape the narrative in the critical first stage of the DCO process. The important aspect is at that stage public understanding, attitudes and positions on the proposed development are firmed up. The same applies to statutory consultees – it can influence opinion and comment.

The consequence of the one-sided tilt is hugely concerning in the Rampion 2 case for several case-specific reasons, including the fact this transformative, multi £ billion major infrastructure is proposed in ecologically sensitive inshore waters visibly in close proximity to heavily populated shores, **and not truly offshore**.

In contrast, the construction and operation of infrastructure featuring very large turbines sited truly offshore, in locations that fully respect the Government's own strategic environmental advice (such as OESEA advice on visual buffers), is far less likely to be disruptive and significantly harmful, thus less socially divisive, controversial and prone to delay.²

Impediments to effective two-way communication on the benefit-risk tradeoffs even in the best of times on any DCO were massively amplified in the Rampion 2 case because the main formal consultations were conducted virtually on-line, even when they did not have to be delivered in digital and virtual-only modes, as set out in the SoCC.

² The Applicant's Rampion 2 proposal has massive turbines (up to 325m tall in close proximity to shore visibly transforming the natural seascape in the ecologically sensitive and legally defined inshore waters, while it is competing with wind projects genuinely sited offshore that respect the Government's strategic environment advice including on visual buffers (distance of very large turbines to shore in essence) that are so obviously far less damaging across social, environmental and economic metrics.

This for example, ruled out face-to-face and small group discussion within the community where people could otherwise interact, explain and clarify things for those with no planning or technical background, cross-check information supplied by the Applicant, and interact with our elected Councils informally and formally.

Our experience was that the consultation techniques and the manner they were delivered allowed the Applicant even more control over information, public discourse and the pre-consultation narrative than ever envisaged by Government when structuring the DCO process for major infrastructure with front-loaded Applicant-led consultations.

For instance PINS Consultation Guidance stated:

“The pre-application consultation process is crucial to the effectiveness of the major infrastructure regime” ... “Effective pre- application consultation will lead to applications which are better developed and better understood by the public, and in which the important issues have been articulated and considered as far as possible in advance of submission to the Secretary of State. This in turn will allow for shorter and more efficient examinations.”

As we document, our experience on the ground was that the Rampion 2 pre-application consultations failed to deliver on terms promised in the SoCC, and otherwise failed to meet the consultation aims, standards and quality as set out in the Planning Act (2008) and elaborated in relevant PINS Advisory Notes.

The Rampion 2 Application clearly is not “*better understood by the public*” and “*important issues have not been (fully) articulated and considered as far as possible*”. In fact, we argue with evidence throughout the process the opposite occurred.

Our revealing interactions with Councils

Commercial developers are the sole source of publicly accessible information on any offshore wind project at the pre-application stage (essentially).

And indeed our direct experience was for questions of any kind that we asked local authorities we were told verbally and in writing to talk to the developer. We were told that otherwise by local authorities, “the Council was only a consultee itself”, and that we should consider registering as an Interested Party to raise any questions or concerns at the Examination stage - if we were so inclined.

On the conduct of consultations and raising concerns we were aware of advice. E.g.

Commenting on an developer’s Pre-application consultation (In PINS FAQs)

Make your comments to the Applicant in the first instance. Applicants have a statutory
1st duty to take account of any relevant responses received in the prescribed consultation period.

If you are not satisfied, make your comments to your local authority. Local authorities
2nd may consider your comments in preparing their Adequacy of Consultation Representation.

If you are still not satisfied, make your comments to the Secretary of State through the
3rd Planning Inspectorate. If an application is submitted, we can consider those comments in addition to the statutorily required Acceptance tests when making the decision about

whether or not to accept the application.

We were even told by some Councillors that the Rampion 2 proposal was far “too sensitive” to discuss openly.

When residents were finally able to meet elected County councillors face-to-face at a County Forum³ session in 2022 we asked what was really happening with the digestion of this major proposal at various levels of local government and explained what we were experiencing on the ground. We were truly shocked.

We were told that apart from one virtual briefing given to the full County Council by the Applicant and subsequent discussion on what the developer had briefed them, they had little detailed knowledge of the project and no input to the position the Council’s would adopt on the Rampion 2 proposal (to object or not), or the adequacy of consultations.

They explained that it was handled by Officers and signed off by Council Leaders. (We recognise there is no legal obligation of Councils to consult with local communities on positions about the proposed development they offer on our behalf).

We also learned in those first face-to-face group discussions with County Councillors (after formal consultations were completed) that local authorities had not been consulted when the Rampion 2 extension proposal was increased from 400 MW to 1,200 MW by The Crown Estates – triple the size.

If indeed true, apart from the lack of transparency and any apparent local input to the decision to triple the scale of the extension, the published criteria for the windfarm extension bid round in 2017 where the Rampion 2 scheme emerged, included the criterion that the extension project could be no larger in MW capacity than the original project (i.e., 400 MW in the Rampion 2 case).

Whether this is now all water under the bridge or not, the lack of transparency and informed consent is concerning, recognizing there were valid and material planning reasons for including the criteria for offshore windfarm extension projects where they could not be larger than the existing scheme they extended.

Confusing / incorrect application of the Rochdale Envelope

Moreover, specifically as regard to formal consultations on impacts, and as our PCS affiliation of community organisations pointed out in its Press Release of 7 Nov 2022 shared with the Applicant, there was confusion with the apparent misuse or misapplication of the Rochdale Envelope technique authorised under the Planning Act.

The PEIR published in 2021 as the legal basis for formal consultations and statutory consultee comment on the extent and significance of likely project impacts, clearly stated **the “worst-case scenario” would be 75 large turbines 325m high, or the alternative of 116 turbines 210m high.**

The Applicant subsequently proclaimed to all stakeholders in consultation outreach (with no nuance or qualification) that it had responsibly reduced the Rampion 2 scheme from 116 turbines to up to 90 turbines, that in response to public consultations and concerns. In the proposed development that announced as being “fixed for the DCO Application”, in fact the Applicant actually **increased** the number of large turbines **to up to 90 turbines up to 325m,**

³ Arun County Local Forum – held at the Littlehampton Library on 8 March 2022

(which of course comes with additional associated infrastructure and cumulative infrastructure impacts that would be felt in construction and through the life of operation).

That increased from 75 to 90 turbines of that exceptionally large size, which is outside the Rochdale Envelope formally consulted with impacted communities along the south coast and on which statutory consultees rendered their opinions. From our reading of the situation, it did not respect PINS **Advice Note Nine: Rochdale Envelope** and the use of the ‘Rochdale Envelope’ approach as set out under the Planning Act 2008.⁴

Again whether this is now to be treated as water under the bridge, like the trebling of the size of Rampion 2 extension (from 400 MW in the bid criteria in 2017 to 1,200 MW) or the labelling of Rampion 2 as an offshore wind project when it is situated in legally define inshore waters, not offshore which starts 12 nautical miles from shore as legally defined by the Marine Management Organisation (MMO)⁵ – is perhaps mute.

Again from our perspective it was part of the systematic bias that we observed that really needs sorting out in a fair, transparent and reasonable manner to better inform the Examination and stakeholders.

Rebalancing the seriously one-sided Pre-Application messaging

The level of incredulity and frustration among those in local community organisations who followed matters and participated in consultations thus grew, as the Rampion 2 proposal moved through the pre-application stage, as we observed, largely under radar.

That was due to many circumstances both within and beyond the control of the Applicant. Our AoC concern relate to the former.

Two concrete examples:

If we may highlight two examples from the Applicant’s consultation engagements in 2023 which come on top of the AoC concerns and other failings that we encountered in the formal consultations in 2021 and 2022.

As noted, we believe the effects of which need rebalancing before the closing date for Registration of IPs and Relevant Representations during the conditional pre-application stage for Rampion 2.

Firstly, the last Project Liaison Group (PLG) meeting for the coastal grouping held on-line 14 June 2023 attracted only five of the fifteen PLG representatives from Parish and Town Councils along the south coast, two of which were from the Littlehampton Area.⁶

⁴ Further frustrating was media headlines where the Applicant claimed it reduced the sea area of the project in response to consultations, when in fact the final area is always far smaller than the search area.

⁵ <https://www.gov.uk/guidance/marine-licensing-definitions>

⁶ The two members from Littlehampton were a Town Councillor and a PLG community organisation representative from the Littlehampton Society. We appreciate the onshore PLG Group was more active in respect to the targeted onshore consultations in 2023; however, those consultations were still open to all the public and project impacted residents. In media articles throughout Sussex including in Littlehampton media the Applicant advanced its claims about the performance and impacts for all of the project components, offshore and onshore combined throughout 2023.

While concerning in many ways, the apparent apathy to meaningfully engage on this major infrastructure proposal we see as just one inevitable consequence of the Applicant's over-reliance on formal virtual methods, especially frustrating when they did not have to be virtually based on computer screens. The Applicant's approach, as we saw it, was to consult tactically, systematically taking advantage of the flexibility in the SoCC, not good faith interpretation of it, as we experienced,

The formal consultations were coupled to and an adjunct of the single-source of information narrative construction that we observed over the 3-year pre-application period. As a consequence:

- It allowed the Rampion 2 proposal to advance with limited and certainly less public scrutiny and wider awareness of the actual benefit-risk tradeoffs during the pre-application period.
- Increased the degree of control that the Applicant enjoyed over the information supplied to key stakeholder interests, being amplified by virtual-only consultations never envisaged in the Planning Act, or PINS guidance.
- Had a distorting or "limiting effect" on transparent and fully informed, effective and open conversations about benefit-risk tradeoffs, which in turn undermined the extent and quality of consultation feedback and responses.

Taken together, this approached the equivalent of a legal "chilling effect", by impeding essential public debate and action, discouraging people from objecting to the Applicant's proposal, or contributing informed consultation feedback that otherwise may have improved the proposed development based on local knowledge and views – as intended in the DCO process established by Government.

- To our growing frustration, we witnessed a highly tactical consultation conducted virtually and digitally effectively served to discourage genuine and informed participation of many residents.
- We saw the effect of limiting local voice, not only in pre-application consultation responses, but also discouraging many in our community from even thinking about registering as Interested Parties to participate in the Examination.
- That is our experience on the ground talking with residents and Councillors who either know very little about Rampion 2 proposal in terms of physicality and extent, visibility, design and the likely social, environmental and economic impacts - largely as a consequence of how the pre-application consultations were restricted. Others in the community felt the consultations were simply a tick box exercise.
- In part because the virtual, online approach adopted for formal consultations (long after COVID restrictions were lifted) meant that members of the public or their representatives (whether in government or non-government organisations) individually, on their own had to wade through massive detailed and technical documents on-line if they wanted to get beyond the simplistic one-sided narrative provided in the Applicants online promotion videos, summations and press releases.
- This alienated people who otherwise wanted to get involved and led to many in our community and our elected Councillors to conclude that decisions about the Rampion 2 project were well beyond the influence of mere local mortals expressing their views – so why even bother?

A **second illustration** of the distorting or “chilling effect” of the consultation approach and techniques the Applicant adopted was in the latter stages of 2023. In public engagements and single-information source briefings to Councils at all levels, the Applicant made many significant highly significant claims about the performance and benefits of their commercially preferred proposal, knowing full well that:

- a. Any claims that exaggerated benefits or understated impacts could not be openly challenged at the pre-application stage.⁷
- b. The specific claims made would significantly influence public and local authority perceptions about the project, as well as the consultation responses.

Again we argue this led to a systematic bias toward positive media coverage and consultation feedback. It also served to reinforce the narrative that crept into the pre-application consultation messaging that anyone who challenged the Applicant’s claims should be painted as activist NIMBYs or worse a - climate change denier.

Here we refer specifically to notable claims the Applicant advanced in 2023: firstly, on the project impact side that the size of Rampion 2 was reduced by almost 50% due to the Applicant’s responsible and responsive consideration of consultation feedback; and secondly, on the project benefit side, that Rampion 1 and 2 combined would provide all the power needs of Sussex - twice over – so who will stand in the way of that!

- Those claims and others as we argued in a PCS press release 7 Nov 2022 and will again argue with evidence in an Examination stage representation - lack credibility.⁸
- Yet those claims were highlighted in the Applicant’s on-line consultation statements, in press releases during consultations and in interviews in local media in 2023 - all unqualified and without scrutiny or challenge. Many residents and councillors took those claims at face value. And still do.
- Those claims were made in the last two Rampion 2 PLG meetings unchallenged (in coastal and onshore PLGs) and as we understand, to local authorities directly.
- They effectively say and imply that anyone sensible would not oppose this project – only Nimbys. For those in the coastal communities who raised concerns the message was, “beauty is in the eye of the beholder”. That was emphasised in the mix of slogans the Applicant deployed in consultation presentations, videos and in the media to reinforce the less than subtle NIMBY messaging.

⁷ There was no scrutiny or assigned responsibility to perform due diligence in that regard; (any due diligence by PINS was process related as we understand, apart from the Scoping Opinion rendered in 2000).

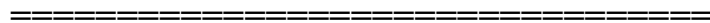
⁸ We fully appreciate the DCO Acceptance Stage is not about the merits of any Application. Claims the Applicant made in pre-application consultations were questioned by PCS as a consultation response asking for evidence and further challenged in a PCS Press Release “Rampion 2: Smoke ‘n Mirrors” and the PR Notes, 2 Nov 2022. They will be more formally challenged with evidence and modelling in a PCS Community-led Due Diligence representation if and when the Rampion 2 Application moves to Examination. Drafts will be shared within the community and more widely with Interested Parties for awareness raising, comment and endorsement before it is submitted to the ExA. Similarly, Littlehampton are residents are participating in the preparation of community-led Representations for the Examination stage of Rampion 2 concerning Local Impacts (a community-led LIR that we will share in draft with our Councils as input to their LIRs) and the Consideration of Reasonable Alternatives as is triggered by NPS E-1.

- Again we argue all that compounded the “chilling effect” of the arbitrary virtual-only consultations employed, (maintained even after Government restrictions were lifted in time for the first formal consultation). And again, they impeded essential public debate where people were persuaded not to oppose the DCO application or withdraw objections, or otherwise not offer meaningful consultation comment.
- It was obvious to us the Applicant was fully aware that if such claims were indeed true, far fewer people would question the £3+ billion spend on the Rampion 2 scheme, whatever the degree of local harm (social, environment or economic).
- The question of whether legal thresholds for the “chilling effect” were crossed in the Rampion 2 pre-application consultations would be a matter for the Courts to interpret and decide, as referenced in recent Judicial Reviews of DCO decisions. <https://www.bailii.org/ew/cases/EWHC/Admin/2023/1796.html> see para 146
- Our experience was that specific and highly significant claims (which we argue and clearly lack credibility) had a detrimental impact on the adequacy of consultation in the many ways noted above.⁹
- Viewed via the lens of the Planning Act and PINS Guidance on pre-application consultations, we believe that making such significant claims in consultations without qualification and offering evidence fell far short of reasonable good faith conduct.

Thus some conditional acceptance actions that we ask local authorities to consider referencing in their statutory AoC response to PINS have aimed to address the distorting impact of the Applicant’s claims to thus better inform the Examination Authority.

Additionally, specific questions (consultation responses) asking the Applicant to provide the basis for such claims that were either brushed aside, or simply not addressed and hence ignored completely.

- This is despite the Applicant’s duty to have regard to consultation responses as stipulated in PINS Guidance Note 8.1 and in the Planning Act (2008, amended) Section 49, “*Duty to take account of responses to consultation and publicity*”.
- Our consultation response that asked for information on assumptions and justification of the benefit claims was not addressed or even mentioned in the Applicant’s formal Consultation Report already issued on the formal consultations.



⁹ The Applicants claim that Rampion 1 + 2 would together provide all the power needs of Sussex- twice over, came without any reference to assumptions and facts, such as: factually, it is based on the average annual output over a year; thus it ignores intermittent and variable output, where little or no output is available for days at a time as demonstrated in the Rampion 1 load duration curves; it ignored the fact that investment of back up generation of equivalent capacity is required, thus increasing costs of reliable, affordable and secure supply; and it is not clear whether the claim takes account of mandated electrification that will see a doubling of actual power demand between 2035-2050. Because of the overwhelming importance and impact of the claims the Applicant makes in the pre-application consultation stages we believe clarification of this must be part of the conditional acceptance during the pre-Examination period, as we suggest, and made public before the registration date for IP status for the Examination closes.

Supplemental Information Note (2)

Following PINS Advice on Protocols to raise pre-application consultation concerns

As further context, since February 2020 Littlehampton area and other community organisations along the south coast and inland have interacted with the Applicant on a variety of consultation concerns.

Following PINS advice we sought to bring unresolved concerns to the attention of our local Councils, which was challenging during early lockdowns and even after when most people were at home and not accessible. We also engaged with our highly supportive area MPs to ask their views and support from the start of the informal on-line consultation.

And we had very helpful interactions with officials in the Planning Inspectorate before the Rampion 2 Team was formed. We took S51 planning advice on AoC matters. Some but not all of those requests are on the PINS website for Rampion 2 under the S51 advice tab.

Throughout we sought to help raise local awareness of the Rampion 2 proposal and the benefit-risk tradeoffs in a balanced way – as awareness was clearly lacking in the community. We especially sought to provide positive feedback to raise the quality consultations to standards envisaged in relevant PINS Advisory Notes and legislation.

Among the early steps Littlehampton community organisations took in this regard in 2020 included:

- Requesting the Applicant and PINS that formal consultations be delayed at least until the pandemic related restrictions that prevented face-to-face contact and small group gatherings and community discussions were lifted.

Of course restrictions were lifted by the Government before the first and second round of public consultations, but the Applicant elected to retain virtual-only engagements when the SoCC allowed them to respect Government COVID guidance on meetings.

- Formally offering community input to the SoCC to the Applicant and ADC/WSCC to better inform their conversations to finalise the SoCC, and also sharing this with PINS and community organisations;
- Taking the initiative to sponsor and pay for a face-to-face community-led public meeting during the formal consultation period in 2021, where 80 participants attended in-person including Councillors at all three levels across the south coast, also inviting the Applicant's representatives to speak and respond as part of a FAQ Panel.

Then we submitted the Meeting Outcome Reports (Summary and Full Report) to the Applicant as balanced and comprehensive consultation input.

As detailed in the Outcome Reports submitted as a formal consultation input the Applicant refused repeated invitations to attend, including invitations extended through a Littlehampton PLG Member, only to contact us urgently the day before that they wanted to attend the face-to-face meeting in Littlehampton Town Council Millennium Chamber, but only virtually where the Applicant went on to actually complain in the meeting they wanted more time to speak than others during the Panel session.

As we document a number of unsubstantiated and misleading claims were made by the Applicant at the Community-sponsored Consultation Meeting 24 August 2021. Middleton on Sea Council and community organisations organised a similar meeting 25 August 2021 which Residents and Councillors attended in person while the Rampion Representative attended via a screen.

From late 2022 and over 2023 the Littlehampton area community organisations stepped up interactions with the other affected coastal and inland community groups in a similar position who were struggling with adequacy of the consultations.

We now routinely share information and experience on the engagements with the Rampion 2 Applicant including the targeted consultation recently concluded, and to explore consensus on possible ways to address many unresolved AoC concerns on both the offshore and onshore components, as we all have documented in separate AoC Representations.

We also consulted on the specific actions the Applicant can be asked to undertake to address AoC failings we experienced and shared this approach with elected Councils at three levels as well as the members of the Applicant's Project liaison Group (PLG) that represents Parish and Town Councils along the coast and with our three supportive area MPs.

Example AoC Communication with Local Authorities

----- Forwarded message -----

Date: Mon, 7 Aug 2023 at 00:31

Subject: Rampion 2 DCO: UPdate > Adequacy of Consultations (AoC)

To: <chief.executive@arun.gov.uk>, Karl Roberts [REDACTED]@arun.gov.uk>, [REDACTED]@arun.gov.uk>

Cc: Neil Crowther [REDACTED]@arun.gov.uk>, eastbeachresass@gmail.com <eastbeachresass@gmail.com>, info@thelittlehamptonsociety.org.uk <info@thelittlehamptonsociety.org.uk>

Philippa Dart and Karl Roberts
Interim Chief Executives
Arun District Council

Subject: **Adequacy of Pre-Application Consultations (AoC) - Rampion 2 Wind Farm**

Dear Officers,

As S51 advice on the Planning Inspectorate (PINS) website indicates the Rampion 2 DCO Application is imminent, this email is to note that we remain hopeful that ADC will reference and reflect our documented Adequacy of Consultation (AoC) concerns in the Council's own statutory response to PINS.

For convenient reference, our email in January 2023 to you when the Application was originally anticipated is copied below. Our detailed PDF submission of that date with relevant AoC documentation and evidence is attached.

We also draw your attention to concerns about the consultations undertaken since January 2023 on the onshore transmission component, which are addressed in separate but related AoC representations made by other interested and affected communities.

And we also note the umbrella group Protect Coastal Sussex (PCS) established in 2021 to bring together community groups to better inform awareness of Rampion 2 and the likely benefit-risk tradeoffs has grown.

PCS now connects residents and independent coastal and inland community organisations, including those in the Littlehampton area, who today routinely share information and research about local impacts of this £3+ billion transformative proposal, as well as experience with the developer's consultation engagements.

PCS will step up activities in subsequent stages of the Rampion 2 DCO process, such as to make submissions to the Examination Authority (ExA) and to comment on submissions made by the Applicant or other Interested Parties.

Based on what we witnessed, the collective view remains the Applicant demonstrably failed to achieve pre-application consultation aims and standards as set out in relevant PINS Advisory Notes and as prescribed in the Planning Act.

Conditional Acceptance as an alternative way forward

If the Rampion 2 Application is to be accepted for Examination irrespective of documented AoC failings, we argue now as previously it should be a “**conditional acceptance**” only.

As an unbiased approach that would at least go part way to address consultation failings that we and others witnessed first hand. It would help rebalance things going into the Examination and thus serve the interest of fairness and accountability.

We believe it is a practical remedy that interested and affected local residents and community organisations could support **provided the conditions are sufficient**.

It otherwise recognises the Government's stated ambition is to speed up the DCO process and the recent call of the Parliamentary Committee on Climate Change (PCCC) for urgent reform to the planning and consenting process for energy infrastructure.

Reasonable Conditions

We thus update the list of actions that we feel the Rampion 2 developer (RWE) should be asked to undertake during the pre-Examination period as follows.

- a. Reasonable steps are identified where the developer must address and correct selected SoCC errors and specific failings in consultation responses during the DCO Pre-Examination stage that has no fixed schedule, though is typically 3-4 months.***
- b. RWE makes public the detailed assumptions, models and analysis that they based their power demand-and-supply claims on, so they are transparent and available for scrutiny and may be challenged during the Examination.***
- c. RWE funds and makes publicly available independent analysis of the performance and power benefits for Rampion 2, and Rampion 1 and 2 combined. Ideally these would be prepared by competent power authority staff such as Ofgem, or their consultants not connected to RWE.***
- d. Further, the Examining Authority (ExA) is asked by PINS to make provision to take due diligence evidence during the Examination on the efficacy of RWE's claims made during pre-application consultations as regard to benefits, performance and impacts (accepting it's at the discretion of the appointed ExA);***

Here a separate representation will be made to request PINs and the ExA consider provisions for an issue-specific Hearing at the Examination stage on Reasonable Alternatives, basing this on the EN-1 National Policy Statement.

- e. RWE arranges appropriate publicity in local media of the outcomes of remedial actions, including directly informing Councils and Project Liaison Group (PLG) members in Parish and Town councils established by the developer, and***
- f. Given the significant body of evidence for the inadequacy of the consultation with Cowfold residents, which has now become known to coastal communities, and the weakness of data provision when the sites were under consideration, as highlighted by CPRE, SWT and Natural England, RWE should fully reopen the consultation with respect to the substation site, which, in the interests of meaningful consultation, should include both Wineham Lane North and South sites and the relevant northern parts of the cable route options.***

The above mentioned actions derive from exchanges with the developer (requests for information, conversations and consultation responses). The suggestions for terms a. to e. above were previously shared with the developer's Rampion 2 Community Liaison Group (PLG) that consists of Parish and Town Council representatives.

We very much hope that ADC Officers and Councillors give substantial weight to AoC concerns that interested and affected community groups document and highlight, and in particular the merits of the conditional acceptance remedy.

That avoids delay, better informs the Examination and does not divide the community. It is in everyone's best interest.

We made a similar request to WSCC as a statutory consultee with a similar AoC role and informed the Littlehampton Town Council (LTC).

Respectfully,

Lawrence Haas and Faye Christensen,
Littlehampton Residents

Members of the East Beach Residents Association (EBRA) <https://eastbeachresidents.org/>
The Littlehampton Society (TLS) <https://thelittlehamptonsociety.org.uk/>
Affiliated with Protect Coastal Sussex (PCS) <https://www.protectcoastalsussex.org/about>
Protect Coastal England (PCE) www.protectcoastalengland.org

In conversation with Officers of the above mentioned organisations

On Mon, 9 Jan 2023 at 08:57, James Hassett [REDACTED] [@arun.gov.uk](mailto:[REDACTED]@arun.gov.uk)> wrote:

Dear Mr Haas

Thank you for your email dated 9 January 2023.

I can confirm that the content will be considered as part of preparing the Arun District Council response on the adequacy of the consultation.

Yours sincerely

James Hassett

James Hassett

Chief Executive

T: 01903 737600

M: 07385 412115

E: chief.executive@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk

Note: I work Monday-Thursday (I do not work on a Friday). In line with flexible working arrangements, I occasionally send emails outside of working hours. If this arrives outside your normal working hours, please do not feel compelled to respond immediately.

From: Larry Haas [REDACTED]@gmail.com>

Sent: 09 January 2023 15:07

To: James Hassett [REDACTED]@arun.gov.uk>

Cc: Philippa Dart [REDACTED]@arun.gov.uk>; Karl Roberts [REDACTED]@arun.gov.uk

...

Use of planning conditions on the Rampion 2 Case

Proposed Conditions of Acceptance

If Rampion 2 is accepted for Examination our perspective it should be a conditional acceptance only. We believe that it is fair, reasonable and practical for the Applicant to address outstanding AoC failings during the pre-Examination stage as the developer prepares for the Examination. It is consistent with UK principles on use of planning conditions.¹

It is a practical remedy that interested and affected local residents and community organisations could support provided the conditions are sufficient.

Reasonable Conditions may include:

- a. Reasonable steps are identified where the developer must address and correct selected SoCC errors and specific failings in consultation responses during the DCO Pre-Examination stage that has no fixed schedule, though is typically 3-4 months.***
- b. RWE makes public the detailed assumptions, models and analysis that they based their power demand-and-supply claims on, so they are transparent and available for scrutiny and may be challenged during the Examination.***
- c. RWE funds and makes publicly available independent analysis of the performance and power benefits for Rampion 2, and Rampion 1 and 2 combined. Ideally these would be prepared by competent power authority staff such as Ofgem, or their consultants not connected to RWE.***
- d. Further, the Examining Authority (ExA) is asked by PINS to make provision to take due diligence evidence during the Examination on the efficacy of RWE's claims made during pre-application consultations as regard to benefits, performance and impacts (accepting it's at the discretion of the appointed ExA);***

Here a separate representation will be made to request PINs and the ExA consider provisions for an issue-specific Hearing at the Examination stage on Reasonable Alternatives, basing this on the EN-1 National Policy Statement.

- e. RWE arranges appropriate publicity in local media of the outcomes of remedial actions, including directly informing Councils and Project Liaison Group (PLG) members in Parish and Town councils established by the developer, and***
- f. Given the significant body of evidence for the inadequacy of the consultation with Cowfold residents, which has now become known to coastal communities, and the weakness of data provision when the sites were under consideration, as highlighted by CPRE, SWT and Natural England, RWE should fully reopen the consultation with respect to the substation site, which, in the interests of meaningful consultation, should include both Wineham Lane North and South sites and the relevant northern parts of the cable route options.***

¹ <https://www.gov.uk/guidance/use-of-planning-conditions>

There may be additional conditions that other stakeholders offer and PINS may wish to include.