

EN010117: Application by Rampion Extension Limited for the Rampion 2 Offshore Wind Farm

**The Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters
Issued on 13 February 2024**

The following table sets out the Examining Authority's (ExA's) Written Questions arising from the Issue Specific Hearing held on Wednesday 7 February and Thursday 8 February 2024. The questions are primarily directed to Natural England following their decision not to attend the Hearings, with additional input required from Horsham District Council and the Marine Management Organisation.

Responses and Information Requested are due by Deadline 2: Wednesday 20 March 2024



Q. No	Question Topic	Question
Agenda Item 4 - Effects of the Proposed Substation at Cowfold / Oakendene		
Q4-1	<i>Ecology, wildlife surveys and observations at Oakendene</i> Natural England	Confirm whether there are no designated sites, priority habitats or documented local wildlife sites at the proposed substation site at Oakendene.
Q4-2		Comment on the wildlife surveys undertaken by the Applicant at the proposed substation site at Oakendene.
Q4-3		Comment on the wildlife observations made by Interested Parties in regards to this site, particularly by Ms Creaye [RR-164] and [PEPD-077] and Ms Smethurst [RR-236] and [PEPD-083] in their respective Relevant Representations and Responses to Relevant Representations.
Agenda Item 5 - Construction Effects		
Q5-1	<i>Biodiversity Net Gain</i> Natural England	Confirm whether the Applicant's approach towards Biodiversity Net Gain (BNG) [APP-193] as its method and approach of mitigating the effects of the Proposed Development is supported, given that BNG is not currently a requirement of nationally significant projects to date.
Q5-2	<i>HDD at Climping Beach SSSI</i> Natural England	Confirm if further discussions have taken place with the Applicant regarding drilling beneath the Site of Special Scientific Interest (SSSI) since the Application was submitted for examination in August 2023.
Q5-3		Respond on the adequacy of Commitment C-217 of the Commitments Register [APP-254], which states " <i>The HDD works at the landfall location will be programmed to avoid the winter</i>



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		<i>period between October and February inclusive, to avoid disturbance to wintering waterbirds during the coldest period”, and whether this sufficiently mitigates concerns with the proposed HDD beneath Climping Beach SSSI.</i>
Agenda Item 6 - South Downs National Park		
Q6-1	<i>Seascape and Visual Effects</i> Natural England	In relation to the Special Qualities of the National Park and Special Character of the Sussex Heritage Coast, provide justification for why the suggested amendments to the eastern array in the form of exclusion of Wind Turbine Generators and a reduction in the combined lateral spread of Rampion 1 and Rampion 2 are necessary.
Q6-2		In relation to Special Qualities of the National Park and Special Character of the Sussex Heritage Coast, provide justification for why and what further assessment is required, and explain why the existing assessments are not adequate to consider these impacts.
Q6-3		In relation to National Landscapes (Chichester Harbour and the eastern portions of the Isle of Wight), provide justification for why and what further assessment of the west ward expansion is required, and explain why the existing assessments are not adequate to consider these impacts.
Q6-4	<i>Habitats Regulations Assessment for the Arun Valley Special Protection Area</i> Natural England Horsham District	Natural England state in their Relevant Representation (RR) [RR-265 section 5.25 page 16] and Principal Areas of Disagreement Statement [AS-011 page 4], that there is the risk of a temporary loss of functionally linked land used by waterbirds related to the Arun Valley Special Protection Area during the construction phase of the Proposed Development lasting for several years longer than predicted, before it is returned to its previous condition. It is advised that this extended timeframe needs to be further assessed within the Environmental Statement.



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	Council	Explain whether this further assessment been undertaken or discussed since the Application was submitted for examination in August 2023.
Q6-5	<i>Water Neutrality</i> Natural England	It is advised [AS-011 page 4] and [RR-265 section 5.26 page 17] that development proposals within the Sussex North Water Supply Zone area that would lead to an increase in water demand will need to demonstrate and robustly evidence water neutrality and that an assessment of water neutrality is required to be undertaken by the Applicant in regards to the Proposed Development. Confirm whether any progress has been made or discussions have taken place with the Applicant in regard to this request.
Agenda item 9 - Ornithology		
Q9-1	<i>Turbine Design</i> Natural England	Confirm whether the proposed air gap of 22m above Mean High Water Spring for the design of the wind turbine generators agreed at the pre-application stage is suitable for this location in regard to collision risk.
Q9-2		Explain whether any concerns exist over the minimum turbine spacing stated in the draft DCO of 830m.
Q9-3	<i>Cumulative Impact on the Great Black-backed Gull</i> Natural England	It is stated [RR-265 Appendix B page 5] that NE does not agree with the Applicant's conclusion in Chapter 12 of the Environmental Statement [APP-053] that the cumulative impact on the great black-backed gull across the UK South-west & Channel Biologically Defined Minimum Population Scale is not significant. It further states that "a 1.99% increase on baseline mortality is significant in Environmental Impact Assessment (EIA) terms, and that



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		<p><i>the Population Viability Analysis results show that this would severely impact the regional population, resulting in a population 19% smaller than the counterfactual after 30 years”.</i></p> <ul style="list-style-type: none"> i. Explain whether there have been further discussions with the Applicant regarding this point. ii. Confirm whether the Applicant has followed the recommended guidance and methodology in relation to this analysis. iii. Set out whether discussions are ongoing with the Applicant.
Q9-4	<p><i>In-combination Assessment of Collision Risk to Kittiwake, on the Flamborough and Filey Coast Special Protection Area</i></p> <p>Natural England</p>	<p>It is stated [RR-265 Appendix B page 6] that NE does not agree that the contribution of the Proposed Development to the in-combination assessment of collision risk to kittiwake, on the Flamborough and Filey Coast Special Protection Area (SPA), is so small that it is of no consequence and that Adverse Effects on Integrity cannot be ruled out.</p> <ul style="list-style-type: none"> i. Explain whether there have been any further discussions with the Applicant since Dogger Bank South confirmed their willingness to allocate nesting platforms to Rampion 2 in the event that RED elect to provide compensation measures at any such structure, in a letter dated 01/12/2023 [PEPD-001] ii. Confirm if there is any updated information available for the Examination in relation to this point. iii. Confirm whether the Applicant has provided sufficient further detail in relation to the proposed compensatory measures for kittiwake. iv. Confirm whether any changes are likely to the scope and delivery mechanism of the



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		<p>Marine Recovery Fund since the Application was submitted for examination in August 2023.</p> <p>v. Confirm whether the Applicant has discussed details of the proposed updates to the Kittiwake Implementation and Monitoring Plan.</p>
Q9-5	<p><i>In-combination Assessment on Guillemot and Razorbill at the Flamborough and Filey Coast Special Protection Area</i></p> <p>Natural England</p>	<p>It is stated [RR-265 Appendix B page 7] that until a full in-combination assessment is carried out on the impacts on guillemot and razorbill at the Flamborough and Filey Coast Special Protection Area, NE are currently unable to advise whether Adverse Effects on Integrity could be ruled out.</p> <p>Confirm if the Applicant has further discussed with NE the proposed in-combination assessment of impacts for guillemot and razorbill at the Flamborough and Filey Coast SPA.</p>
Q9-6	<p><i>Impacts on Guillemot at the Farne Islands Special Protection Area</i></p> <p>Natural England</p>	<p>It is stated [RR-265 Appendix B page 8] that NE does not agree with the Applicant that an adverse effect on integrity can be ruled out for the Farne Islands SPA due to impacts on guillemot in-combination with other projects. They state there is the potential for effects from the Proposed Development to combine with those from Berwick Bank and other North Sea projects, and this should be properly considered by the Applicant.</p> <p>Confirm if the Applicant has further discussed this point since the Application was submitted and if so, what progress is there to report.</p>
Agenda item 10 - Underwater Noise		
Q10-1	<p><i>Black Seabream</i></p>	<p>Set out whether there is typically variability within seasons when it comes to the time period for black seabream nesting. For example, can the nesting seasons vary in length, whether</p>



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	Natural England	longer or shorter periods, for each year.
Q10-2		If there were behavioural impacts of piling noise on nesting black seabream, explain whether this would potentially mean they would not return to the Sussex coast area in subsequent years.
Q10-3		If piling works were not to take place in July, with a full seasonal piling restriction, explain whether this would sufficiently address concerns about noise impacts on black seabream as a result of piling noise.
Q10-4		Explain whether it is possible that there could be any piling in July, within any of the proposed array area, which would be acceptable in terms of black seabream effects.
Q10-5	<i>Seahorses</i> Natural England	If there are smaller numbers or a dispersed population of short snouted seahorses which could be affected by piling noise, explain whether this would mean such adverse effects were less severe than if there were larger population numbers or densities.
Agenda item 12 - Offshore Physical Processes and Benthic Ecology		
Q12-1	<i>Offshore Gravel Beds</i> Natural England	If some form of gravel beds were to be used as an alternative to floatation pits, explain whether there would be potential offshore environmental impacts from this method, and what could these be.
Q12-2	<i>Offshore Survey Work</i> Natural England	The ExA understands that the Applicant is not intending to undertake any further offshore survey works during the Examination process. Confirm whether there is sufficient detail and commitments currently submitted to cover cable installation and mitigation.
Q12-3	<i>Migratory Insects</i>	There have been representations received [RR-163, RR-239, RR-029, RR-225, RR-189, RR-389, RR-110] relating to the adverse effects of wind turbines on migrating insects. Comment,



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	Natural England	if required, on this matter.
Q12-4	<i>Kelp Restoration</i> Natural England Marine Management Organisation	The ExA is aware of kelp restoration projects within the Sussex Bay area [RR-156, RR-176, RR-037, RR-377, RR-110]. Comment on the adequacy of the assessment and conclusions of likely significant effects reported within the ES Chapter 9 [APP-050].