

Rampion 2 Wind Farm Category 8: Examination Documents National Policy Statement Tracker

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1. Introduction

1.1 Project Overview

1.1.1 Rampion Extension Development Limited (hereafter referred to as 'RED') (the 'Applicant') is developing the Rampion 2 Offshore Wind Farm Project ('Rampion 2') located adjacent to the existing Rampion Offshore Wind Farm Project ('Rampion 1') in the English Channel.

1.1.2 Rampion 2 will be located between 13km and 26km from the Sussex Coast in the English Channel and the offshore array area will occupy an area of approximately 160km. A detailed description of the Proposed Development is set out in Chapter 4: The Proposed Development, Volume 2 of the Environmental Statement (ES), submitted with the DCO Application **[APP-045]**.

1.2 Purpose of this Document

1.1.3 This document is submitted in response to the Examining Authority's (ExA) request at point 6, Annex B of the Rule 8 letter **[PD-007]** for the Applicant to prepare a National Policy Statement Tracker which sets out, in tabular format, the compliance of the Proposed Development with requirements of relevant National Policy Statements and in particular both the 2011 and 2024 versions of the Overarching National Policy Statement for energy (EN-1) and the National Policy Statement for renewable energy infrastructure (EN-3).

1.1.4 Sections 104 and 105 of the Planning Act 2008 provide for the approach to be taken to decisions where an NPS has effect (section 104) and where no NPS has effect (section 105). The Applicant considers that, as there is an NPS in force for renewable energy infrastructure, the Application falls to be determined under section 104.

1.1.5 The new suite of NPSs were finalised in 2023 and came into force in 2024. Section 1.6 of the 2024 NPS EN-1 confirms that: 'for any application accepted for examination before designation of the 2023 amendments, the 2011 suite of NPSs should have effect in accordance with the terms of those NPS' and that the 2023 amendments will therefore have effect 'only in relation to those applications for development consent accepted for examination, after the designation of those amendments'.

1.1.6 The Applicant accepts that the now designated NPSs (which are referred to as the 2024 NPS in line with the ExA's request) are important and relevant considerations that the relevant Secretary of State could consider within the framework of the Planning Act 2008.

1.1.7 This document is therefore used to track the accordance of the Proposed Development with the 2011 and 2024 version of the National Policy Statements (NPSs), and in accordance with the ExA's request focuses on:

- Overarching National Policy Statement for Energy (EN-1).
- National Policy Statement for Renewable Energy Infrastructure (EN-3).

- 1.1.8 As requested by the ExA, this document will be reviewed and updated throughout the Examination, when required. A final version of this documents will be submitted at Deadline 6 in line with the ExA's request.
- 1.1.9 In the following tables the 2011 NPS is considered in order and the equivalent paragraphs in the 2024 dealing with the same, or broadly the same, subject matter are then identified. The final column provides commentary on how the application complies with the NPS policy. In some cases, the 2024 NPS include new wording or requirements and there are no directly related paragraphs within the 2011 NPS. Where this is the case the 2024 NPS has been included with no direct 2011 NPS paragraph but the structure of the 2011 NPS is retained as the starting point.

2. Accordance with NPS EN-1

Table 2.1 Accordance with NPS EN-1

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
|--------------------------------|---------------------------|---|---|---------------------------|---|--|
| | | | 3.1 Introduction | 3.1.1 | This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent. | <p>Rampion 2 Offshore Windfarm is a new, large scale energy infrastructure project that falls within the scope of NPS EN-1. The Proposed Development would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 3.1.2 | However, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS. | <p>The ES (Volumes 2 – 4) provides and assessment of the impacts that Rampion 2 may have on the environment. This assessment is based on a worst-case scenario. Section 5.4 of the Planning Statement [APP-036] summarises the adverse impacts of scheme. This identifies some significant adverse effects as a result of the Proposed Development. Given the urgent need for the type and scale of energy infrastructure proposed these adverse impacts are outweighed by the benefits of the proposed development.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| 3.1 IPC decision making | 3.1.1 | The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions. | 3.2 Secretary of State decision making | 3.2.1 - 3.2.2 | The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent | <p>The Proposed Development is for an offshore wind farm and is therefore covered by this NPS. Section 4.2 of the Planning Statement [APP-036] identifies the established need for the proposed offshore wind development. Through reference to the NPS provisions in paragraph 3.1.4 of EN-1 2011, the Planning Statement notes that, substantial weight should be given to the contribution which projects would make towards satisfying that need.</p> <p>In this policy context, the Proposed Development would make a substantial contribution towards</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | technologies, data, and innovative infrastructure projects consistent with these objectives. | <p>the delivery of renewable energy in line with the need to significantly decarbonise the power system and should therefore be ascribed substantial weight in the balance of considerations and the presumption in favour of such development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 and 2024 NPS.</p> |
| | 3.1.2 | It is for industry to propose new energy infrastructure projects within the strategic framework set by Government. The Government does not consider it appropriate for planning policy to set targets for or limits on different technologies. | | 3.2.3 – 3.2.5 | <p>It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation³⁶, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the government’s ambitions in energy policy and other policy areas.</p> <p>It is not the government’s intention in presenting any of the figures or targets in this NPS to propose limits on any new infrastructure that can be consented in accordance with the energy NPSs. A large number of consented projects can help deliver an affordable electricity system, by driving competition and reducing costs within and amongst different technology and infrastructure types. Consenting new projects also enables projects utilising more advanced technology and greater efficiency to come forward. The delivery of an affordable energy</p> | <p>The Proposed Development is for an offshore wind farm and is therefore covered by this NPS. The Funding Statement [APP-025] outlines the assessment by the Applicant that the Proposed Development is commercially viable. The Applicant therefore concludes with confidence that the financial viability of the project is assured. ES Chapter 4: The Proposed Development, Volume 2 [APP-045] outlines the Proposed Development is considered by the Applicant to be viable.</p> <p>Section 4.2 of the Planning Statement [APP-036] identifies the principle and need for the development with reference to the 2011 NPS (and draft 2023 NPS).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 and 2024 NPS.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>system does not always mean picking the least cost technologies. A diversity of supply can aid in ensuring affordability for the system overall and relative costs can change over time, particularly for new and emerging technologies. It is not the role of the planning system to compare the costs of individual developments or technology types. The government has other mechanisms to influence the delivery of its energy objectives and imposing limits on the consenting of different types of energy infrastructure would reduce competition, increase costs, and disincentivise newer, more efficient solutions coming forward. This does not reduce the need for individual projects to demonstrate compliance with planning and environmental requirements or mean that everything that obtains development consent will get built.</p> | |
| | 3.1.3 | The IPC should therefore assess all applications for development consent for the types of infrastructure covered by the energy NPSs on the basis that the Government has demonstrated that there is a need for those types of infrastructure and that the scale and urgency of that need is as described for each of them in this Part. | | 3.2.6 | The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent, as described for each of them in this Part. | <p>The Proposed Development is an offshore wind farm that falls within the scope of NPS EN-1. It would help to meet the urgent need for the type and scale of energy infrastructure outlined.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 and 2024 NPS.</p> |
| | 3.1.4 | The IPC should give substantial weight to the contribution which projects would make towards satisfying this need when considering applications for development consent under the Planning Act 2008 ¹ . | | 3.2.7 | In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008. | Section 4.2 of the Planning Statement [APP-036] sets out the need for the Proposed Development in terms of the contribution towards renewable energy generation, the achievement of the UK's climate change commitments, and in helping to meet the projected increase in |

¹ .In determining the planning policy set out in Section 3.1, the Government has considered a range of projections and models that attempt to assess what the UK's future energy needs may be. Figures referenced relate to different timescales and therefore cannot be directly compared. Models are regularly updated and the outputs will inevitably fluctuate as new information becomes available.

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | <p>demand for electricity. Substantial weight should be given to meeting this need.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 3.2.8 | The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS. | <p>The paragraph confirms that offshore wind projects are considered by the Government to be necessary to meet the urgent need for low carbon infrastructure (and are to be assessed on basis of the benefits and impacts of the individual scheme), rather than assessing the contribution to meeting the need.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 3.2.9 | This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008. | <p>Rampion 2 is offshore generating station that is an NSIP pursuant to Section 15(3) of the Planning Act 2008 and covered by the NPS.</p> |
| 3.2 Introduction | 3.2.3 | This Part of the NPS explains why the Government considers that, without significant amounts of new large-scale energy infrastructure, the objectives of its energy and climate change policy cannot be fulfilled. However, as noted in Section 1.7, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. This Part also shows why the Government considers that the need for such infrastructure will often be urgent. The IPC should therefore give substantial weight to considerations of need. The weight which is attributed to considerations of need in any given case should be proportionate to the anticipated extent of a project's actual | | | | <p>Section 4.2 of the Planning Statement [APP-036] sets out the need for the Proposed Development in terms of the contribution towards renewable energy generation, the achievement of the UK's climate change commitments, and in helping to meet the projected increase in demand for electricity. Section 5.4 summarises the benefits and potential adverse impacts of the Proposed Development. These benefits and impacts are then weighed up in the planning balance exercise undertaken and presented in Section 5.5.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | contribution to satisfying the need for a particular type of infrastructure. | | | | |
| 3.3 The need for new nationally significant electricity infrastructure projects <i>Meeting energy security and carbon reduction objectives</i> | 3.3.2 | The Government needs to ensure sufficient electricity generating capacity is available to meet maximum peak demand, with a safety margin or spare capacity to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events. This is why there is currently around 85 GW of total generation capacity in the UK, whilst the average demand across a year is only for around half ² of this. | 3.3 The need for new nationally significant electricity infrastructure | 3.3.1 | Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events. | The Proposed Development will contribute towards the generation of electricity to meet the needs of the UK, through the provision of an estimated 1,200MW of renewable energy. Rampion 2 will support achievement of the national target of 50GW of offshore wind capacity by 2030 set out in the British Energy Security Strategy (BEIS, 2022). The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 3.3.3 | The larger the difference between available capacity and demand (i.e. the larger the safety margin), the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from rising and volatile prices and, eventually, from physical interruptions to supplies that might impact on essential services. | | 3.3.2 – 3.3.3 | The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system. To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major | The Proposed Development will contribute towards the generation of electricity to meet the needs of the UK, and support energy security, through the provision of an estimated 1,200MW of renewable energy. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

² DECC: Digest of United Kingdom Energy Statistics (DUKES) table 5.2. <http://www.decc.gov.uk/assets/decc/Statistics/publications/dukes/348-dukes-2010-printed.pdf> Total demand for UK: 379 TeraWatt hours (TWh), divided by 8760 hours (no. of hours in a year) gives 43 GW average demand.

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610-800TWh in 2050</p> | |
| | 3.3.4 | <p>There are benefits of having a diverse mix of all types of power generation. It means we are not dependent on any one type of generation or one source of fuel or power and so helps to ensure security of supply. In addition, as set out briefly below, the different types of electricity generation have different characteristics which can complement each other:</p> <ul style="list-style-type: none"> • fossil fuel generation can be brought online quickly when there is high demand and shut down when demand is low, thus complementing generation from nuclear and the intermittent generation from renewables. However, until such time as fossil fuel generation can effectively operate with Carbon Capture and Storage (CCS), such power stations will not be low carbon (see Section 3.6). • renewables offer a low carbon and proven (for example, onshore and offshore wind) fuel source, but many renewable technologies | <p><i>The need for different types of electricity infrastructure</i></p> | 3.3.4 – 3.3.5 | <p>There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation. New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.</p> | <p>The Proposed Development will contribute towards the generation of electricity from renewable sources and will therefore assist in achieving the aspirations set out within this paragraph for a diverse mix of all types of power generation.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | <p>provide intermittent generation (see Section 3.4); and</p> <ul style="list-style-type: none"> nuclear power is a proven technology that is able to provide continuous low carbon generation, which will help to reduce the UK's dependence on imports of fossil fuels (see Section 3.5). Whilst capable of responding to peaks and troughs in demand or supply, it is not as cost efficient to use nuclear power stations in this way when compared to fossil fuel generation. | | | | |
| | | | Delivering affordable decarbonisation | 3.3.14 | <p>Value for money assessments are not required on applications for development consent for energy infrastructure projects. However, government will work to ensure there are market frameworks which promote effective competition and deliver an affordable, secure and reliable energy system and government support for specific technologies and projects will be dependent on clear value for money for consumers and taxpayers.</p> | <p>The Funding Statement [APP-025] outlines the assessment by the Applicant that Rampion 2 is commercially viable. The Secretary of State can therefore conclude with confidence that the financial and technical feasibility of the project is assured.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 3.3.16 | <p>If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy³ to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst</p> | <p>The Proposed Development will contribute towards the generation of electricity to meet the needs of the UK, through the provision of an estimated 1,200MW of renewable energy. This paragraph therefore supports the principle of the development which will contribute to this commitment. The Proposed Development will also contribute to achievement of the aims of the government's Net Zero Strategy.</p> |

³ If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy⁴³ to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon. | The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| 3.4 The role of renewable electricity generation <i>The urgency of need for new renewable electricity generation</i> | 3.4.5 | Paragraph 3.4.1 above sets out the UK commitments to sourcing 15% of energy from renewable sources by 2020. To hit this target, and to largely decarbonise the power sector by 2030, it is necessary to bring forward new renewable electricity generating projects as soon as possible. The need for new renewable electricity generation projects is therefore urgent. | <i>The need for electricity generating capacity</i> | 3.3.57 – 3.3.59 | Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: <ul style="list-style-type: none"> • providing security of supply (by reducing reliance on imported oil and gas, • avoiding concentration risk and not relying on one fuel or generation type) • providing an affordable, reliable system (through the deployment of technologies with complementary characteristics) • ensuring the system is net zero consistent (by remaining in line with our carbon • budgets and maintaining the options required to deliver for a | The Proposed Development will help to meet the UK's carbon budget. ES Chapter 29: Climate change, Volume 2 [APP-070] assesses that Rampion 2 will contribute up to a 0.64% offset of the sixth carbon budget of 965MtCO ₂ e for 2033 to 2037. Rampion 2 is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. Rampion 2 would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1 Rampion 2 will help to meet the government's energy objectives. Section 4.2 of the Planning Statement [APP-036] identifies how Rampion 2 will help to meet this urgent need, meet increased energy demand, enhance energy security, and support achievement of government objectives and commitments, including net zero commitments. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | wide range of demand, decarbonisation and technology scenarios, including where there are difficulties with delivering any technology) | |
| | | | | 3.3.60 – 3.3.61 | <p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> • Offshore Wind (including floating wind) • Solar PV • Wave • Tidal Range • Tidal Stream • Pumped Hydro • Energy from Waste (including ACTs) with or without CCS • Biomass with or without CCS • Natural Gas with or without CCS • Low carbon hydrogen • Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants Geothermal <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above</p> | <p>Rampion 2 is offshore wind energy infrastructure NSIP above 100MW as covered by the NPS. Rampion 2 is a NSIP covered by the NPS and therefore the need for the type of infrastructure proposed is established in the NPS. Section 4.2 of the Planning Statement [APP-036] identifies how Rampion 2 will help to meet this urgent need, meet increased energy demand, enhance energy security, and support achievement of government objectives and commitments, including net zero commitments.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 3.3.62 – 3.3.63 | <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p> | <p>The Proposed Development is an offshore wind generating station that is a technology classed as CNP in the 2024 NPS.</p> <p>There is an urgent need to bring forward CNP infrastructure and the government strongly supports the delivery of CNP infrastructure.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p> | <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | <p>3.3.71 - 3.3.75</p> | <p>The historical approach to connecting offshore wind resulted in individual radial connections developed project-by-project. This may continue to be the most appropriate approach for some areas with single offshore wind projects that are not located in the vicinity of other offshore wind and / or offshore infrastructure that is planned or foreseen in the near future. For regions with multiple windfarms or offshore transmission projects it is expected that a more coordinated approach will be delivered. For these areas, this approach is likely to reduce the network infrastructure costs as well as the cumulative environmental impacts and impacts on coastal communities by installing a smaller number of larger connections, each taking power from multiple windfarms instead of individual point-to-point connections for each windfarm. Connecting the volume of offshore wind capacity targeted by the government will require not only new offshore transmission infrastructure but also reinforcement to the onshore transmission network, to</p> | <p>The Holistic Network Design (HND) was published in June 2022. National grid Electricity System operator (NGESO) has confirmed projects in-scope for the HND and Pathway to 2030 are primarily those which were awarded leases in The Crown Estate Leasing Round 4 and those in Crown Estate Scotland's ScotWind leasing round. The workstream scope will also include offshore projects within the Celtic Sea and potentially a handful of other offshore projects which are potentially spatially and/or temporally relevant to other in-scope projects for the Pathway to 2030 workstream where it is efficient to consider them as part of the scope of the HND.</p> <p>The existing regulatory regime is based on radial connections, and this is the approach that has been taken by the Applicant which has been supported by NGESO and is indirectly endorsed by the HND recommendations.</p> <p>This site is not in the scope of the HND, but the paragraph is clear that radial connections may continue to be the most appropriate approach for single offshore wind projects.</p> <p>There is an urgent need to bring forward CNP infrastructure and the government strongly supports the delivery of CNP infrastructure as standalone projects.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>accommodate the increased power flows to regional demand centres. Due to the time required to plan, approve and construct the required new onshore transmission infrastructure, to date the completion of these onshore reinforcements has often taken longer than the completion of the offshore wind farms for which they are being built. This could present a material barrier to the delivery of UK Government ambition to deliver up to 50GW of offshore wind by 2030.</p> <p>The strategic approach to network planning, including the Holistic Network Design (HND) for onshore-offshore transmission, planned HND follow-on exercises and the proposed move to Centralised Strategic Network Planning for the onshore-offshore network, allows for clearer identification of needs and includes upfront consideration of environmental and community impacts. Government recognises the work undertaken in these strategic network planning exercises and these should be an important and relevant consideration in the consenting process. This recognition of the network designs seeks to directly support progress of projects identified within the designs as they are brought forward for consent. Further details are provided in Section 2.8 and 2.13 of EN-5.</p> <p>The final Phase 1 report for National Grid ESO's Offshore Coordination Project (published December 2020) found that a more integrated approach to offshore transmission, which included efficient planning of the onshore network, could deliver consumer benefits of up to £6 billion</p> | <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | by 2050, depending on how quickly it could be implemented. It also found that the number of new electricity infrastructure assets, including cables and onshore landing points could be reduced by up to 50 per cent over the same period, significantly reducing environmental impacts and impacts on coastal communities. | |
| | | | | 3.3.81 | The importance of accelerating coordination does not, however, militate against the need for standalone electricity networks projects, and these projects are supported by this NPS and should continue to be assessed on their own merits | <p>The paragraph confirms that accelerating coordination should not count against non-coordinated projects. Non-coordinated projects such as the Proposed Development are considered by the Government to be necessary to meet the urgent need for low carbon infrastructure and are supported by the NPS and are to be assessed on basis of the benefits and impacts of the individual scheme.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 3.3.82 | Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. ⁴ According to the Net Zero Strategy ⁵ this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. | <p>The Proposed Development will support achievement of the national target of 50GW of offshore wind capacity by 2030 set out in the British Energy Security Strategy (BEIS, 2022). Rampion 2 will help to meet the UK's carbon budget. ES Chapter 29: Climate change, Volume 2 [APP-070] assesses that Rampion will contribute up to a 0.64% offset of the sixth carbon budget of 965MtCO₂e for 2033 to 2037.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 3.3.83 | Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity | <p>Rampion 2 is an electricity infrastructure NSIP that is covered by the NPS, and for which there is an urgent need for as soon as possible.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |

⁴ Carbon Budgets - GOV.UK (www.gov.uk)

⁵ Net Zero Strategy: Build Back Greener - GOV.UK (www.gov.uk)

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| | | | | | NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy. | |
| 4.1 Assessment Principles | 4.1.2 | Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the IPC should start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.2 of this NPS. | 4.1 General Policies and Considerations | 4.1.3 – 4.1.4 | Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.4 of this NPS. | <p>Given that the Proposed Development is for infrastructure covered by the energy NPS, the policy presumption set out within this paragraph is relevant to the application proposals. Section 4.2 of the Planning Statement [APP-036] considers the policy presumption and the in-principle support for the Proposed Development in national policy. This should be read together with Sections 4.6 and 4.7 of the Planning Statement [APP-036] which assess the Proposed Development against the policy requirements of the NPSs on a topic-by-topic basis. Section 5 of the Planning Statement [APP-036] together with this Accordance Table, demonstrates that the planning balance is firmly in favour of the Proposed Development, and in accordance with the presumption in favour of development, consent should be granted.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 and 2024 NPS.</p> |
| | 4.1.3 | <p>In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account:</p> <ul style="list-style-type: none"> its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. | Weighing impacts and benefits | 4.1.5 | <p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits its potential adverse impacts, including on the environment, and including any long-term | <p>Section 5 of the Planning Statement [APP-036] presents the overall planning balance for the Proposed Development and considers the benefits of the scheme and the assessment of potential adverse effects.</p> <p>The Proposed Development will help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1. Section 4.2 of the Planning Statement [APP-036] identifies how Rampion 2 will help to meet this urgent need, meet increased energy demand, enhance energy security, and support achievement of government objectives and commitments, including net zero commitments. Additionally, the potential direct, indirect and supply jobs are outlined drawing on the assessment in ES</p> |

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| | | | | | and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy. | <p>Chapter 17: Socio-economics, Volume 2 [APP-058].</p> <p>The ES (Volumes 2 – 4) provides and assessment of the impacts that Rampion 2 may have on the environment. This assessment is based on a worst-case scenario. Section 5.4 of the Planning Statement [APP-036] summarises the adverse impacts of scheme. This identifies some significant adverse effects as a result of the Proposed Development. Given the urgent need for the type and scale of energy infrastructure proposed these adverse impacts are outweighed by the benefits of the proposed development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 and 2024 NPS.</p> |
| | | | | 4.1.6 | In this context, the Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans ⁶ , and other material considerations as outlined in Section 1.1). | <p>The ES provides a comprehensive presentation of the benefits and impacts that Rampion 2 may have at national, regional and local levels, specific to environmental, social and economic topics. There are a limited number of significant negative effects as summarised in the Planning Statement [APP-036]. Given the limited number of significant effects, the benefits of the Proposed Development and the urgent need for type and scale of infrastructure proposed, it is considered to outweigh the adverse impacts.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 4.1.7 | Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects | <p>This paragraph provides further commentary on the treatment of CNP in the planning balance. The paragraph states that the residual effects will be outweighed by the need case “<i>in all but the most exceptional cases.</i>” The Proposed Development is CNP infrastructure for which the</p> |

⁶ In Wales, the Welsh National Marine Plan sets out Welsh Ministers’ expectations that nationally significant infrastructure projects contribute to the well-being of Welsh communities and the sustainable management of natural resources and should seek to deliver lasting legacy benefits for the local community, the economy and the environment.

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| | | | | <p>after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> | <p>need case is established within the NPS. There are a limited number of significant negative effects as summarised in the Planning Statement [APP-036] Section 5.4. Given the urgent need for the type and scale of energy infrastructure proposed (as CNP), the Applicant considers that these adverse impacts are outweighed by the benefits of the Proposed Development.</p> <p>There is no unacceptable risk to human health or public safety as assessed in ES Chapter 28 Population and human health, Volume 2 [APP-069] and Chapter 27: Major accidents and disasters, Volume 2 [APP-068]; no unacceptable risk to or interference with defence interests as assessed in ES Chapter 14: Civil and military aviation, Volume 2 [APP-055]; and no unacceptable risk to or interference with irreplaceable habitats as assessed in ES Chapters 8 Fish and shellfish ecology [APP-049], 9 Benthic, subtidal, and intertidal ecology [APP-050], Chapter 11 Marine mammals [APP-052], Chapter 12 Offshore and intertidal ornithology [APP-053], and Chapter 22 Terrestrial ecology and nature conservation [APP-063].</p> <p>Additionally, there will be no unacceptable risk to, or unacceptable interference to, offshore navigation as assessed in ES Chapter 7 Other marine users, Volume 2 [APP-048], unacceptable risk onshore to flood risk as assessed in Chapter 26 Water environment [APP-067], or to coastal erosion as assessed in Chapter 6 Coastal processes [APP-047].</p> <p>The Proposed Development would contribute to the achievement of net zero and would not pose a risk to its achievement as assessed in ES Chapter 29 Climate change, volume 2 [APP-70].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> | |

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| | | | Land rights | 4.1.8 – 4.1.9 | Where the use of land at a specific location is required to facilitate the development by providing for mitigation and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land. The Secretary of State will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs | <p>The requirement for compulsory acquisition of land is detailed within the Statement of Reasons [APP-021] and accompanying appendices [APP-023 - APP-24 and PEPD-12] provide details regarding compulsory acquisition of land or rights over land.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | Other documents | 4.1.11 | The energy NPSs have taken account of the National Planning Policy Framework (NPPF), the Planning Practice Guidance for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate. ⁷ | <p>The Applicant considers that the Proposed Development accords with the NPS which the NPS recognises has taken into account the NPPF and Planning Practice Guidance for England. Therefore, a separate assessment against the NPPF and PPG is not required.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 4.1.12 | Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework. | <p>The Applicant has considered the relevant policies the applicable Development Plan Documents as assessed in Section 4.6 and Section 4.7 of the Planning Statement [APP-036]. There is some conflict with local plan policies in relation to the South Downs National Park (SDNP) as there would be harm to the SDNP. The public interest and exceptional circumstances for development in the SDNP have been demonstrated (see Section 4.4 of the Planning Statement [APP-036]). The Applicant considers that the Proposed Development accords with the NPS and also, overall, the Proposed Development is considered to accord with the local planning policies when taken as a whole.</p> |

⁷ <https://www.gov.uk/government/collections/planning-practice-guidance>, <https://www.gov.wales/technical-advice-notes>

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| | | | | | | The Proposed Development therefore accords with this paragraph of the 2024 NPS. |
| | | | | 4.1.13 – 4.1.15 | Where the project conflicts with a proposal in a draft Development Plan, the Secretary of State should take account of the stage which the Development Plan document in England or Local Development Plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented, or precluded. The closer the Development Plan document in England or Local Development Plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it. In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure. | The Proposed Development does not conflict with any emerging Development Plan. The Proposed Development therefore accords with this paragraph of the 2024 NPS. |
| | 4.1.7 | The IPC should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. The IPC should take into account the guidance in Circular 11/95, as revised, on “The Use of Conditions in Planning Permissions” or any successor to it. | Development consent | 4.1.16 - 4.1.17 | The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. The Secretary of State should consider the guidance in the NPPF, the Planning Practice Guidance: Use of Planning Conditions, and TANs, or any successor documents, where appropriate. | The Development Consent Order (DCO) application was accompanied by a draft DCO [APP-019] , and an Explanatory Memorandum to the draft DCO [APP-020] which provides a fuller description of the powers included within it. The draft DCO has been revised during the pre-examination stage [PEPD-009]. The DCO sets out all of the requirements that the Applicant must comply with during the construction, operation and maintenance phases of the Proposed Development. The Explanatory Memorandum explains the purpose and effect of each article of and Schedule to the draft Order. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | 4.1.8 | The IPC may take into account any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. | | 4.1.18 | The Secretary of State may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects. | <p>The Applicant will submit any such obligations as part of the Examination, where a need arises for such obligations, and they meet the tests set out within this paragraph.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1</p> |
| | | | Early engagement | 4.1.19 | Early engagement both before and at the formal pre-application stage between the applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government's pre-application guidance. ⁸ This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the Examining Authority and leading to a clear recommendation report to the Secretary of State. | <p>The Applicant has undertaken consultation throughout the development of the Rampion 2 scheme. This has informed the ongoing consideration of the design alternatives of the Proposed Development as evidenced in ES Chapter 3 Alternatives, Volume 2 [APP-044]. Within each ES topic chapter, the specific consultation that has taken place to inform the assessment is outlined. Furthermore, the application has been accepted for examination. The Proposed Development is in accordance with paragraph 4.1.19. Consultation has been undertaken through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.1.20 | This is particularly so in the case of HRA matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the applicant to submit sufficient information to enable the Secretary of State to conduct an Appropriate Assessment if required. | <p>The Applicant has submitted a Report to Inform Appropriate Assessment [APP-038] which enables the SoS to conduct an Appropriate Assessment. Additionally, a Habitats Regulations Assessment (Without Prejudice) Derogation Case [APP-039] has also been submitted.</p> <p>See responses to paragraphs 5.4.25 to 5.4.31.</p> |

⁸ [Planning Act 2008: guidance on the pre-application process for major infrastructure projects - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674222/Planning_Act_2008_guidance_on_the_pre-application_process_for_major_infrastructure_projects.pdf)

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| | 4.1.9 | In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of Government interventions. Where the IPC considers, on information provided in an application, that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant it is unlikely to be of relevance in IPC decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained). | Financial and technical viability | 4.1.21 – 4.1.22 | In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions. Where the Secretary of State considers that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant, it is unlikely to be of relevance in Secretary of State decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained). | <p>The Applicant is Rampion Extension Development Limited (RED) which is a joint venture between RWE Renewables UK Limited (RWE) and a consortium of Macquarie and Enbridge with RWE being the majority shareholder and Development Service Provider for the joint venture. RWE currently owns interests in nine operational offshore wind farms in the UK in English, Welsh and Scottish Waters and is currently constructing a further two offshore wind farms in the North Sea. The Applicant has a demonstrable track record of successfully delivering renewable infrastructure.</p> <p>The Funding Statement [APP-025] outlines the assessment by the Applicant that the Proposed Development is commercially viable. It is therefore considered that the financial and technical feasibility of the project has been properly assessed in accordance with this paragraph.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1</p> |
| | | | 4.2 The critical national priority for low carbon infrastructure | 4.2.1 – 4.2.5 | Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology. Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will | <p>The 2024 NPS paragraphs reflect the broadened definition of critical national priority (CNP) infrastructure.</p> <p>The Proposed Development is an offshore wind generating station that is a technology classed as CNP in the NPS. The need for, and principle of, the Proposed Development is outlined in Section 4.2 of the Planning Statement [APP-036]. The impacts of the Proposed Development are assessed in the ES with these impacts summarised in the Planning Statement [APP-036].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |

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| | | | | | <p>only be delivered if we can enable the development of new low carbon sources of energy at speed and scale. With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p> <p>Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> • for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready • for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated | |

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| | | | | | <p>specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System</p> <ul style="list-style-type: none"> • for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution • for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore • Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects. | |
| | | | 4.2.7 – 4.2.8 | <p>The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration</p> | <p>CNP policy is relevant to the Secretary of State’s decision making specifically in reference to residual impacts (after application of mitigation hierarchy) and should explicitly be given consideration by the ExA when making its recommendation to the Secretary of State.</p> <p>The paragraphs also include reference to the weighing up of non-HRA and non-MCZ residual impacts in the planning balance (which is considered further in 2024 NPS EN-1 paragraphs 4.2.15 – 4.2.17) and the approach to HRA derogations and MCZ assessments</p> | |

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| | | | | | <p>by the Examining Authority when it is making its recommendation to the Secretary of State.</p> <p>During decision making, the CNP policy will influence how non-HRA and non-MCZ residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.</p> | <p>(considered further in 2024 NPS EN-1 paragraphs 4.2.18 – 4.2.22).</p> <p>The approach set out in Section 5.5 of the Planning Statement [APP-036], in terms of the weighing of the planning balance, therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | | 4.2.9 | <p>During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and IROPI tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.</p> | <p>The Applicant has submitted a Report to Inform Appropriate Assessment [APP-038] and a Habitats Regulations Assessment (Without Prejudice) Derogation Case [APP-039]. A Draft MCZ Assessment [APP-040] has also been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed.</p> <p>The approach to HRA derogations and MCZ assessments (considered further in 2024 NPS EN-1 paragraphs 4.2.18 – 4.2.22).</p> <p>The approach set out in Section 5.5 of the Planning Statement [APP-036], in terms of the weighing of the planning balance, therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | Applicant’s assessment | 4.2.10 - 4.2.13 | <p>Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.</p> | <p>ES Chapter 3, Alternatives, Volume 2 [APP-044] outlines the alternatives considered by the Applicant. The chapter presents the staged design process whilst identifying the main reasons for each of the options chosen and those not taken forward to a subsequent stage of the design evolution process. Appropriate</p> |

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| | | | | <p>Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.</p> <p>Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.</p> <p>Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.</p> | <p>Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.</p> <p>Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.</p> <p>Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.</p> | <p>alternatives have been considered, having regard to operational requirements, planning policy context, site constraints and development constraints and the outcomes of the environmental assessment process.</p> <p>The topic specific ES chapters present the assessment of likely significant environmental, social and economic effects that are predicted to occur during the pre-construction, construction, operation and decommissioning phases.</p> <p>The Applicant is reviewing the requests for mitigation and/or compensation by way of development consent obligation in relation to the relevant policy set out in EN1 (both 2011 and 2024 versions): any such obligation must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related in scale and kind to the proposed development and reasonable in all other respects. The Applicant will continue to engage with stakeholders in relation to how residual impacts can be mitigated and where compensation is identified as required the Applicant is committed to the programme established in ISH 1 of providing Heads of Terms (HoTs) for Deadline 3.</p> <p>The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEoI) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-</p> |

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| | | | | | | <p>039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for the Proposed Development should the SoS conclude AEoI Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEoI in respect of the conservation objectives of the kittiwake feature of the FFC SPA, there are demonstrable imperative reasons of overriding public interest in support of the Proposed Development and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Applicant has used feedback from relevant stakeholders and SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Rampion 2. The Applicant has applied a five-step process to develop compensatory measures in view of existing Defra guidance and advice from Natural England (outlined in Section 6 of the HRA (Without Prejudice) derogation case [APP-039]).</p> <p>A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed.</p> <p>In relation to non HRA matters, the Applicant is continuing to engage with interested parties to discuss whether further mitigation is possible.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | | Secretary of State decision making | 4.2.14 | The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The Secretary of State must be satisfied that the applicant's assessment demonstrates | As outlined above, the Applicant's assessment accords with paragraphs 4.2.10 to 4.2.13. As noted, the Applicant is reviewing the requests for mitigation and/or compensation by way of development consent obligation in relation to the relevant policy set out in EN1 (both 2011 and |

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| | | | | | <p>that the requirements set out above have been met. Where the Secretary of State is satisfied that they have been met the CNP presumptions set out below apply.</p> | <p>2024 versions): any such obligation must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related in scale and kind to the proposed development and reasonable in all other respects. The Applicant will continue to engage with stakeholders in relation to how residual impacts can be mitigated and where compensation is identified as required the Applicant is committed to the programme established in ISH 1 of providing HoTs for Deadline 3.</p> <p>The impacts and benefits of the Proposed Development were summarised and in Section 5.4 of the Planning Statement [APP-036] and weighed up in Section 5.5, which concluded that the balance was firmly in favour of the Proposed Development.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| | | <p>Non-HRA and non-MCZ residual impacts of CNP Infrastructure</p> | | <p>4.2.15 – 4.2.17</p> | <p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore</p> | <p>Rampion 2 is an offshore wind generating station that is a technology classed as CNP in the NPS. The paragraphs state that the starting presumption that CNP infrastructure will have met the tests of “<i>clear outweighing of harm, exceptionality or very special circumstances</i>” which was previously referenced in the March Draft 2023 NPS EN-3 and therefore examined in the Planning Statement [APP-036] Section 4.2 and 4.4.</p> <p>The paragraph also includes a direction on how CNP infrastructure should be treated in the planning balance, with the need case for CNP outweighing the residual effects “<i>in all but the most exceptional cases</i>”. This adds further weight to CNP infrastructure in the balance outlined in Section 5.5 of the Planning Statement [APP-036].</p> <p>The Proposed Development is CNP infrastructure for which the need case is</p> |

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| | | | | | <p>to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p> <p>This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> • where development within a Green Belt requires very special circumstances to justify development; • where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs. • where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional. | <p>established within the NPS. There are a limited number of significant negative effects as summarised in the Planning Statement Section 5.4 [APP-036]. As noted in response to changes to 2024 EN-1 paragraph 4.1.7, there are no unacceptable risks to the elements outlined in this paragraph.</p> <p>The CNP status of the Proposed Development means, when making a decision, the starting point is that the non-exhaustive list of tests of exceptionality, very special circumstances, or clear outweighing of harm in 2024 NPS EN-3 paragraph 4.2.17 are considered to be met.</p> <p>The mitigation hierarchy has been applied and therefore the exceptional circumstances required for development within the South Downs National Park are deemed to be satisfied. See response to paragraph 5.9.9 - 5.9.10 of 2011 EN-1 / paragraph 5.10.32 of 2024 NPS EN-1.</p> <p>The Proposed Development is therefore considered to accord with this paragraph of the 2024 NPS.</p> |
| | | | HRA derogations and MCZ assessments for CNP Infrastructure | 4.2.18 – 4.2.22 | <p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively. Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the</p> | <p>Paragraph 4.2.21 of the 2024 NPS emphasises that the starting position is that CNP infrastructure will be capable of clearing high public interest thresholds to secure consent. The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the</p> |

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| | | | | | <p>integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the Secretary of State will consider making a derogation under section 126(7) of the Marine and Coastal Access Act 2009.</p> <p>For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p> <ul style="list-style-type: none"> requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and | <p>Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEol Flamborough and Filey Coast Special Protection Area (FFC SPA).</p> <p>The Applicant strongly believes that if the SoS finds AEol in respect of the conservation objectives of the kittiwake feature of the FFC SPA, there are demonstrable imperative reasons of overriding public interest in support of the Proposed Development and the policy objectives it will serve, which outweigh the risk of any adverse impact on the FFC SPA.</p> <p>The Applicant has utilised feedback from relevant stakeholders and SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Rampion 2. The Applicant has applied a five-step process to developed compensatory measures in view of existing Defra guidance and advice from Natural England (outlined in Section 6 of the HRA (Without Prejudice) derogation case [APP-039]). A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed.</p> |

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| | | | | | <ul style="list-style-type: none"> are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure. <p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the Secretary of State as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the Secretary of State must be satisfied that measures of equivalent environmental benefit will be undertaken.</p> | <p>Paragraph 4.5.10 of the Planning Statement [APP-036] outlined that the Applicant considered that there are demonstrable imperative reasons of overriding public interest, which would be strengthened by the 2024 NPS related to CNP infrastructure.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS.</p> |
| 4.2 Environmental Statement | 4.2.1 | All proposals for projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material | 4.3 Environmental Effects/Considerations | 4.3.1 – 4.3.3 | All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) ⁹ must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. ¹⁰ The Regulations specifically refer to effects on population, human health, | The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations 2017) require that an Environmental Impact Assessment (EIA) is carried out for any development listed in Schedule 1 and development listed in Schedule 2 (Schedule 2 development) if it is likely to have significant effects. The Project falls within paragraph 3(b) of Schedule 2, as it comprises “3(i) Installations for the harnessing of wind power for energy production (wind farms)” that is likely to have |

⁹ The government has announced plans to bring forward legislation to replace the existing EU-generated systems of Environmental Impact Assessment and Strategic Environmental Assessment with a new system of Environmental Outcomes Reports. The new system will be brought forward through subsequent regulations following further consultation. Environmental assessment will still be required and, when introduced, relevant plans and projects will have to comply with such regulations. Until the new system is implemented, current legislation on environmental assessment continues to apply.

¹⁰ The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

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| | | <p>assets and cultural heritage, and the interaction between them. The Directive requires an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p> | | | <p>biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.¹¹</p> | <p>significant effects. Consequently, EIA is required for the Proposed Development.</p> <p>In accordance with this paragraph, the DCO application was accompanied by an Environmental Statement [APP-041 – APP-222]. The ES describes the aspects of the environment likely to be significantly affected by the Proposed Development. The ES reflects the scope in the Scoping Opinion, Volume 4 Appendix 5.1 [APP-125] and Response to the Scoping Opinion, Volume 4 Appendix 5.2 [APP-126].</p> <p>The ES assesses the likely significant effects, covering direct, indirect, secondary, cumulative, transboundary, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development.</p> <p>The ES also describes the suite of measures required for avoiding or mitigating significant adverse effects.</p> <p>The ES sets out the likely significant environmental, social and economic effects of the development, how significant effects could be avoided or minimised, employing the mitigation hierarchy.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS and 2024 NPS.</p> |
| | 4.2.2 | <p>To consider the potential effects, including benefits, of a proposal for a project, the IPC will find it helpful if the applicant sets out information on the likely significant social and economic</p> | | 4.3.4 | <p>To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social and economic</p> | <p>The topic specific ES chapters present the likely significant environmental, social and economic effects that are predicted to occur during the pre-construction, construction, operational and decommissioning phases.</p> |

¹¹ For guidance on the assessment of cumulative effects, see, for example, PINS Advice Note 17 regarding Cumulative Effects Assessment (August 2019) see <https://infrastructure.planninginspectorate.gov.uk/wpcontent/uploads/2015/12/Advice-note-17V4.pdf>

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| | | <p>effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being.</p> | | | <p>effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health and well-being.</p> | <p>Section 5.4 of the Planning Statement [APP-036] also summarises the benefits and potential adverse impacts of the Proposed Development. Social and economic benefits are identified at Paragraph 5.4.6 of the Planning Statement [APP-036] and relate predominantly to job creation and supply chain expenditure. The adverse effects are identified at Paragraphs 5.4.7 - 5.4.12 of the Planning Statement [APP-036].</p> <p>Those matters highlighted in the 2024 NPS paragraph haven been considered in the ES: The assessment in ES Chapter 17: Socio-economics, Volume 2 [APP-058] considers employment.</p> <p>Biodiversity net gain is outlined in Biodiversity Net Gain information, Volume 4, Appendix [APP-193].</p> <p>Population and human health is considered in ES Chapter 28 [APP-069]. The DCO application is also supported by Equalities Impact Assessment, ES Volume 4 Appendix 28.3 [APP-221].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS and 2024 NPS.</p> |
| | 4.2.3 | <p>For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project. In some circumstances (for example, gas pipe-lines) it may be appropriate to assess effects arising from commissioning infrastructure once it is completed but before it comes into operation. Details of this and any other</p> | | 4.3.5 – 4.3.8 | <p>For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments. In the absence of any additional information on additional</p> | <p>See response to 4.2.2 above.</p> <p>The ES topic chapters present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Proposed Development during the pre-construction, construction, operation and decommissioning phases.</p> <p>In accordance with this paragraph, the DCO application was accompanied by an Environmental Statement [APP-041 – APP-222]. The ES describes the aspects of the</p> |

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| | | additional assessments are set out where necessary in sections on individual impacts in this NPS and in the technology-specific NPSs. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments. | | | assessments, the principles set out in this Section will apply to all assessments. In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms 'effects', 'impacts' or 'benefits' should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits. | environment likely to be significantly affected by the Proposed Development. The ES reflects the scope in the Scoping Opinion, Volume 4 Appendix 5.1 [APP-125] and Response to the Scoping Opinion, Volume 4 Appendix 5.2 [APP-126] and consultation undertaken through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]). The predicted effects at each of the project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. The Proposed Development therefore accords with these paragraphs of the 2011 NPS and 2024 NPS. |
| | 4.2.4 | When considering a proposal the IPC should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the IPC should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages. The IPC should request further information where necessary to ensure compliance with the EIA Directive. | Applicant assessment | 4.3.10 | The applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations. ¹² | In accordance with this paragraph, the ES presents the assessment of likely significant environmental, social and economic (including cumulative) effects associated with all stages of the Proposed Development. This includes details of the embedded environmental measures proposed to avoid or mitigate the adverse effects of the Proposed Development. The Proposed Development therefore accords with these paragraphs of the 2011 NPS and 2024 NPS. |
| | 4.2.5 | When considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well | | | | An assessment of cumulative effects is presented in the technical aspect ES chapters and Chapter 30: Inter-related effects, Volume 2 of the ES [APP-071] . This considers inter-projects effects (i.e., effects resulting from the Proposed Development combining with the same topic-related effects generated by other |

¹² [Environmental Impact Assessment - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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| | | as those already in existence). The IPC may also have other evidence before it, for example from appraisals of sustainability of relevant NPSs or development plans, on such effects and potential interactions. Any such information may assist the IPC in reaching decisions on proposals and on mitigation measures that may be required. | | | | <p>developments to affect a common receptor) and inter-related effects (i.e., individual environmental topic effects resulting from the Proposed Development which are not significant in their own right, but could combine with other environmental topic effects from the same development to create effects that are significant).</p> <p>The Applicant considers that the ES is both proportionate to the scale of the project and meets the EIA Regulations.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS.</p> |
| | 4.2.6 | The IPC should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. | | | | <p>Chapter 30: Inter-related effects, Volume 2 of the ES [APP-071] describes how the Proposed Development has considered inter-related effects. The scope of the inter-related effects assessment is outlined in Section 30.5, and the inter-related effects assessment is presented in Section 30.6 of the chapter.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS.</p> |
| | 4.2.7 | In some instances it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case. | | 4.3.11 | In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case. | <p>The ES justifies where and why design flexibility is sought. As set out in Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045], at this stage, the description of the Proposed Development is indicative and a 'design envelope' approach has been adopted which takes into account Planning Inspectorate Advice Note Nine: Rochdale Envelope, July 2018 (Planning Inspectorate, 2018). The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. Assessing the Proposed Development using this assumption-based design envelope approach means that the assessment will</p> |

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| | 4.2.8 | Where some details are still to be finalised the ES should set out, to the best of the applicant's knowledge, what the maximum extent of the proposed development may be in terms of site and plant specifications, and assess, on that basis, the effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed. | | 4.3.12 | Where some details are still to be finalised, the ES should, to the best of the applicant's knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed. ¹³ | <p>consider a maximum design scenario which allows flexibility to make design decisions in the future that cannot be finalised at the time of submission of the application for development consent. Such design decisions may include the precise models and dimensions of wind turbine generators (WTG) which will be available at the time of placing orders for the Proposed Development, final offshore WTG layout design to optimise wind energy capture, and detailed engineering factors for both the offshore and onshore infrastructure. The use of this approach has been adopted for this Environmental Statement (ES) and also enables the Environmental Impact Assessment (EIA) to be based on a description of the location, design and size of the Proposed Development that is suitable to allow an assessment of its likely significant environmental effects.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> <p>Chapter 4: The Proposed Development, Volume 2 [APP-045] of the ES provides a clear summary of the Proposed Development and the parameters for the DCO Application, which are also presented separately in Appendix 4.3: Proposed Development Parameters, Volume 4 of the ES [APP-124]. Where optionality is present, a maximum design scenario is implemented to inform the technical assessments. Details on the maximum design scenario is provided in Chapter 4: The Proposed Development [APP-045] and the aspect Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES [APP-047 – APP-070].</p> |

¹³ Case law, beginning with R v Rochdale MBC Ex p. Tew [2000] Env.L.R.1 establishes that while it is not necessary or possible in every case to specify the precise details of development, the information contained in the ES should be sufficient to fully assess the project's impact on the environment and establish clearly defined worst case parameters for the assessment. This is sometimes known as 'the Rochdale Envelope'.

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| | 4.2.9 | Should the IPC determine to grant development consent for an application where details are still to be finalised, it will need to reflect this in appropriate development consent requirements. Clearly, if development consent is granted for a proposal and at a later stage the developer wishes for technical or commercial reasons to construct it in such a way that its extent will be greater than has been provided for in the terms of the consent, it may be necessary to apply for a change to be made to the development consent, and the application to change the consent may need to be accompanied by further environmental information to supplement the original ES. | | | | <p>ES Chapter 5: Approach to the EIA, Volume 2 [APP-046] describes the approach where the design is still evolving. A precautionary approach has been applied to ensure a maximum design scenario (MDS) which represents the worst-case scenario for each aspect is assessed in the ES.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> <p>ES Chapter 4 Proposed Development, Volume 2 [APP-045] outlines that the description of the Proposed Development is indicative and a 'design envelope' approach has been adopted which takes into account Planning Inspectorate Advice Note Nine: Rochdale Envelope, July 2018 (Planning Inspectorate, 2018). The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design.</p> <p>The key offshore and onshore component assessment assumptions are provided in Section 4.3 and Section 4.5 [APP-045]. Where relevant, bold text indicates a parameter outlined in the DCO Application within assessment assumption Table 4-2 to Table 4-27, a summary table for the parameters is also provided in Appendix 4.3 Proposed Development Parameters, Volume 4 [APP-124].</p> <p>The draft DCO [PEPD-009] includes requirements as necessary.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |
| 4.3 Habitats and Species Regulations | 4.3.1 | Prior to granting a development consent order, the IPC must, under the Habitats and Species | 5.4 Biodiversity and Geological Conservation | 5.4.25 – 5.4.28 | The applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such | The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of |

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| | | <p>Regulations, (which implement the relevant parts of the Habitats Directive and the Birds Directive in England and Wales) consider whether the project may have a significant effect on a European site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. Further information on the requirements of the Habitats and Species Regulations can be found in a Government Circular. Applicants should also refer to Section 5.3 of this NPS on biodiversity and geological conservation. The applicant should seek the advice of Natural England and/or the Countryside Council for Wales, and provide the IPC with such information as it may reasonably require to determine whether an Appropriate Assessment is required. In the event that an Appropriate Assessment is required, the applicant must provide the IPC with such information as may reasonably be required to enable it to conduct the Appropriate Assessment. This should include information on any mitigation measures that are proposed to minimise or avoid likely effects.</p> | <p>Applicant assessment Applicant assessment – Habitats Regulations</p> | | <p>information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree ‘Evidence Plans’ with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects. If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations. If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before the close of the examination. This information must include assessment of alternative solutions, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation. Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this</p> | <p>Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the ‘Habitats Regulations’). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the ‘without prejudice’ Article 6(4) Habitats Regulations Assessment (HRA) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEol Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the conservation objectives of the kittiwake feature of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in Rampion 2 and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | | <p>information as part of its application 'without prejudice' to the Secretary of State's final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow the applicant the opportunity to provide such information following the examination.</p> | |
| | | | | 5.4.29 | <p>It is vital that applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process.</p> | <p>As noted in the Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039], whilst the Applicant's RIAA [APP-038] concludes no AEoI for all potential impacts both alone and in-combination, relevant compensatory measures are provided on a without prejudice basis in case the SoS disagrees with the Applicant's conclusion. The Applicant has utilised feedback from relevant stakeholders and SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Rampion 2. The Applicant has applied a five step process to developed compensatory measures in view of existing Defra guidance and advice from Natural England (outlined in Section 6 of the Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.30 | <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage</p> | <p>See response to 5.4.26.</p> <p>The scale and location of compensation will be discussed with the SNCB (Natural England) and other stakeholders and will be dependent on the compensation measure taken forward, if required. Details on the identified scale/location will be specified in the Final Rampion 2 Kittiwake Implementation and Management Plan (KIMP).</p> |

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| | | | | | regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans. | <p>An Outline Kittiwake Implementation and Monitoring Plan is included in Appendix A of the Habitats Regulations Assessment (HRA) (Without Prejudice) Derogation Case [APP-039].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.31 | Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority. | <p>As detailed in the Habitats Regulations Assessment (HRA) (Without Prejudice) Derogation Case [APP-039], the Applicant has consulted the SNCB (Natural England) on The Applicant has utilised feedback from relevant stakeholders and the SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Rampion 2. The Applicant has followed a five-step process to demonstrate that it has selected a list of potential compensatory measures, for the minimal in-combination impact of Rampion 2, that are effective, securable, deliverable, and scalable (outlined in Section 6 of the Habitats Regulations Assessment (HRA) derogation case [APP-039]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | Secretary of State decision making – Habitats Regulations | | 5.4.49 | The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat site), a protected marine site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. | <p>The Report to Inform Appropriate Assessment (RIAA) [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that the RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice)</p> |

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| | | | | | | <p>Derogation Case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEol on Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the conservation objectives of the kittiwake feature of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in Rampion 2 and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| 4.4 Alternatives | 4.4.2 | As in any planning case, the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is in the first instance a matter of law, detailed guidance on which falls outside the scope of this NPS. From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option. | | 4.3.9 | As in any planning case, the relevance or otherwise to the decision making process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and habitats sites, the NPS does not change requirements in relation to compulsory acquisition and habitats sites | <p>The Alternatives chapter of the ES [APP-044] considers alternatives as required by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) Derogation Case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for the Proposed Development should the SoS conclude AEol Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the conservation</p> |

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| | | | | | | <p>objectives of the kittiwake feature of the FFC SPA, there are demonstrable imperative reasons of overriding public interest in support of the Proposed Development and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Applicant considers that Rampion 2 is in accordance with the paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.4.2 | <p>However:</p> <ul style="list-style-type: none"> applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility; in some circumstances there are specific legislative requirements, notably under the Habitats Directive, for the IPC to consider alternatives. These should also be identified in the ES by the applicant; and in some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives (as this NPS does in Sections 5.3, 5.7 and 5.9). | <p>4.3 Environmental Effects/Considerations Applicant assessment</p> | 4.3.15 – 4.3.16 | <p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility. In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> | <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] outlines the alternatives considered by the Applicant. The chapter presents the staged design process whilst identifying the main reasons for each of the options chosen and those not taken forward to a subsequent stage of the design evolution process. Appropriate alternatives have been considered, having regard to operational requirements, planning policy context, site constraints and development constraints and the outcomes of the environmental assessment process.</p> <p>The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations').</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.4.3 | <p>Where there is a policy or legal requirement to consider alternatives the applicant should describe the alternatives considered in compliance with these requirements. Given the level and urgency of need</p> | <p>Applicant assessment</p> <p>Secretary of State decision making</p> | 4.3.17 – 4.3.22 – 4.3.29 | <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p> | <p>The Alternatives chapter of the ES (ES Chapter 3 Alternatives, Volume 2 [APP-044]) considers alternatives as required by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and in accordance with the NPS. The consideration of alternatives has been</p> |

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| | | <p>for new energy infrastructure, the IPC should, subject to any relevant legal requirements (e.g. under the Habitats Directive) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:</p> <ul style="list-style-type: none"> the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; the IPC should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security and climate change benefits) in the same timescale as the proposed development; where (as in the case of renewables) legislation imposes a specific quantitative target for particular technologies or (as in the case of nuclear) there is reason to suppose that the number of sites suitable for deployment of a technology on the scale and within the period of time envisaged by the relevant NPSs is constrained, the IPC should not reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure | | | <p>Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:</p> <ul style="list-style-type: none"> the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and only alternatives that can meet the objectives of the proposed development need to be considered. <p>The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site and should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p> <p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are</p> | <p>undertaken in a proportionate manner and considers only those alternatives that can meet the objectives of the Proposed Development. The Chapter presents the staged design process whilst identifying the main reasons for each of the options chosen and those not taken forward to a subsequent stage of the design evolution process.</p> <p>Appropriate alternatives have been considered, having regard to operational requirements, planning policy context, site constraints and development constraints (including The Crown Estate's extension leasing process) and the outcomes of the environmental assessment process.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | <p>of the type proposed may be needed for future proposals;</p> <ul style="list-style-type: none"> alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the IPC thinks they are both important and relevant to its decision; as the IPC must decide an application in accordance with the relevant NPS (subject to the exceptions set out in the Planning Act 2008), if the IPC concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the IPC's decision; alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the IPC's decision; and it is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the IPC in respect of it (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore where an alternative is first put forward | | | <p>both important and relevant to the decision.</p> <p>As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision. Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. Alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide</p> | |

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| | | by a third party after an application has been made, the IPC may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the IPC should not necessarily expect the applicant to have assessed it. | | | the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it. | |
| | | | 4.5 Marine Considerations | 4.5.1 - 4.5.2 | The Marine Policy Statement is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river or channel, so far as the tide flows at mean high water spring tide. Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. ¹⁴ Individual Marine Plans ¹⁵ must be consulted to understand marine relevant specific considerations. | Section 3.3 of the Planning Statement [APP-036] sets out the overarching Marine Policy Statement objectives whilst 3.4 sets out the overarching South Inshore and South Offshore Marine Plan which were designated in July 2018 and of relevance to the Proposed Development. Section 4.6 and Section 4.7 (in reference to socio-economic matters only) set out detailed policy by topic considered in the ES and an assessment of the accordance with MPS and Marine Plans. The Applicant has submitted a Marine Plan and Policies Statement at Deadline 2 (Document Reference 8.50). This document demonstrates the Applicant's adherence to the relevant marine plans and policies including the scope of the plan or policy, a summary of how the Proposed Development is compliant and signposting to the relevant document where applicable. The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | | 4.5.5 | The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on Marine Protected Areas (MPAs), including applying the mitigation | A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed. |

¹⁴ For example, criteria for good design for energy infrastructure (Section 4.7) and climate change adaptation (Section 4.10). Plan policies cover a wide range of topics in Part 5 of this NPS, including landscape and visual (Section 5.10), noise and vibration (Section 5.12) and water quality (Section 5.16).

¹⁵ The Welsh National Marine Plan and/or any applicable English regional marine plans.

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| | | | | <p>hierarchy and using strategic approaches.¹⁶ The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> | | <p>There are two MCZs within the vicinity of the Proposed Development fish and shellfish Study Area, the Kingmere MCZ (protected feature includes black seabream (<i>Spondyliosoma cantharus</i>)) and the Selsey Bill and The Hounds MCZ (protected feature includes European native oyster (<i>Ostrea edulis</i>)). However, the proposed DCO Order Limits does not cross any MCZs. Any potential impacts to fish and shellfish features of the identified MCZs have been assessed in Sections 8.9, 8.10 and 8.11 of ES Chapter 8 Fish and shellfish ecology, Volume 2 [APP-049]. Any potential impacts to features of SSSIs have also been assessed in Sections 8.9, 8.10 and 8.11. There are no significant effects on the features of these MCZs or SSSIs.</p> |
| | | | | | | <p>There are three MCZs within the benthic subtidal and intertidal ecology study area (secondary ZOI), which comprise of the Kingmere, Offshore Overfalls and Pagham Harbour MCZs. Benthic features of these MCZs have been assessed within Section 9.9 to 9.12 of ES Chapter 9, Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the features of these MCZs.</p> |
| | | | | | | <p>The onshore landfall proposed DCO Order Limits overlaps with Climping SSSI, which contains intertidal ecology. However, this is to allow for an area of HDD works, which will be underneath the cliff face and the intertidal area. It will not be on the surface of the beach. The overlap with the proposed DCO Order Limits has not been removed, to allow space for the HDD. Potential indirect effects to features have been assessed within Section 9.9 of ES Chapter 9, Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the SSSI.</p> |

¹⁶ See glossary [APP-006] for mitigation hierarchy definition.

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| | | | | | | The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | | 4.5.6 | A deemed marine licence can be granted as part of the Development Consent Order and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and offshore substations. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea. Further information on marine licencing is provided in section 1.2 of this NPS and paragraphs 2.3.16 to 2.3.24 of EN-3. | <p>The draft DCO [PEPD-009] contains, insofar as possible, all consents and powers required to construct, operate and maintain the Proposed Development, including approval for Deemed Marine Licences (DML) under Part 4 of the Marine and Coastal Access Act 2009 (MCAA 2009) subject to the Conditions therein. The Explanatory Memorandum to the draft Development Consent Order (DCO) [APP-020] that accompanies the draft DCO [PEPD-009] provides a fuller description of the powers included within it.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.5.7 | Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their Development Consent Order application. | <p>The Applicant has engaged with the MMO in the pre-application phase as through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | Applicant's assessment | 4.5.8 – 4.5.9 | Applicants for a Development Consent Order must take account of any relevant Marine Plans and are | The Applicant has considered the relevant Marine Plans throughout the development of the Application, for all offshore components of the |

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| | | | | | <p>expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent. Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p> | <p>Proposed Development. Relevant ES chapters where offshore elements are assessed include reference to the Marine Plans, and take account of the implications in the assessment, as necessary.</p> <p>Section 3.4 of the Planning Statement [APP-036] sets out the overarching South Inshore and South Offshore Marine Plan which were designated in July 2018 and of relevance to the Proposed Development. Section 4.6 and Section 4.7 set out detailed policy by topic considered in the ES and an assessment of the accordance with the Marine Plans.</p> <p>There is no demonstrable conflict between the South Inshore and South Offshore Marine Plan and Rampion 2 and the Applicant considers that Rampion 2 accords with the NPS. The Application accords with this paragraph.</p> |
| | | | <p>Secretary of State decision making</p> | <p>4.5.10 – 4.5.12</p> | <p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a Development Consent Order where an NPS has effect.¹⁷ This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas. In making a decision, the Secretary of State is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> | <p>Section 3.4 Planning Statement [APP-036] sets out the overarching South Inshore and South Offshore Marine Plan which were designated in July 2018 and of relevance to the Proposed Development. Section 4.6 and Section 4.7 set out detailed policy by topic considered in the ES and an assessment of the accordance with the Marine Plans. Relevant ES chapters where offshore elements are assessed include reference to the Marine Plans.</p> <p>The Applicant has submitted a Marine Plan and Policies Statement at Deadline 2 (Document Reference 8.50). This document demonstrates the Applicant’s adherence to the relevant marine plans and policies including the scope of the plan or policy, a summary of how the Proposed Development is compliant and signposting to the relevant document where applicable.</p> |

¹⁷ Where a decision is made under s105 of the Planning Act, section 58(3) of the Marine and Coastal Access Act 2009 will similarly require the Secretary of State to have regard to the marine plan.

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| | | | | | In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making. | The Application therefore accords with these paragraphs. |
| | | 4.6 Environmental and Biodiversity Net Gain | 4.6.1 – 4.6.2 | Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain. | The Applicant has made a commitment for Rampion 2 to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] describes the methods and results of the analysis using the biodiversity metric, the assumptions used to define a realistic worst-case scenario, the approach to refining BNG calculations at the detailed design stage, approach to delivering newly created and enhanced habitats to meet the target and how these will be secured for a period of at least 30 years. | The Applicant has also provided positive ecological enhancement proposals within the Outline Landscape and Ecology Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development. |
| | | | | 4.6.3 | Currently biodiversity net gain policy in England only applies to terrestrial and intertidal components of projects. Principles for Marine Net Gain are | The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | | | | Whilst marine net gain is not currently mandatory, the Applicant is currently exploring opportunities to partner with organisations who are able to deliver marine benefits in the region. |

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| | | | | | currently being rolled out by the Government, who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future. | |
| | | | Applicant assessment | 4.6.6 | Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. | <p>The Applicant has made a commitment for Rampion 2 to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information.</p> <p>The Applicant has also provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor.</p> <p>Whilst marine net gain is not currently mandatory, the Applicant is currently exploring opportunities to partner with organisations who are able to deliver marine benefits in the region.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.7 | In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric ¹⁸ to calculate their biodiversity baseline and present planned biodiversity net | Section 3 and Section 4 of the Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out the biodiversity metric and outputs from the metric (the data). The metric used is Biodiversity Metric 4.0, which was the most up to |

¹⁸ [Calculate biodiversity using the biodiversity metric - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/calculate-biodiversity-using-the-biodiversity-metric)

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| | | | | | gain outcomes. This calculation data should be presented in full as part of their application ¹⁹ . | <p>date version of the metric prior to submission of the DCO Application.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.8 | Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed. | <p>The Applicant has engaged with the relevant local planning authorities and Natural England in the pre-application phase to discuss biodiversity and environmental issues, including net gain, through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.10 | Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. | <p>Mitigation for individual ecological features is described within ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063]. The Applicant's commitment to BNG is a positive benefit of the Proposed Development. It is not a form of mitigation. Paragraph 4.6.11 states that details of offsite BNG are encouraged to be included in the DCO application.</p> <p>On-site delivery will focus on habitat creation at the substation location, with other habitats on-site being reinstated to current condition only. BNG will also require off-site delivery.</p> <p>Biodiversity Net Gain information, Volume 4, Appendix [APP193] identifies that the Applicant has not secured any off-site units currently. This is because the commencement of construction is not scheduled until 2026, and the detailed design phase is scheduled to take place post-DCO award. However, discussions have been held with affected landowners and a number of stakeholders. The location of the biodiversity units will be focused on areas inside or within close proximity to the proposed Order Limits</p> |

¹⁹ [Record cannot be found \(naturalengland.org.uk\)](https://naturalengland.org.uk)

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| | | | | | | <p>wherever possible. However, dependent on availability of biodiversity units this area, it could be extended across West Sussex.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.11 | <p>Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent.</p> | <p>On-site delivery will focus on habitat creation at the substation location, with other habitats on-site being reinstated to current condition only. BNG will also require off-site delivery. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] identifies that the Applicant has not secured any off-site units currently. This is because the commencement of construction is not scheduled until 2026, and the detailed design phase is scheduled to take place post-DCO award. However, discussions have been held with affected landowners and a number of stakeholders. The location of the biodiversity units will be focused on areas inside or within close proximity to the proposed DCO Order Limits wherever possible. However, dependent on availability of biodiversity units this area could be extended across West Sussex.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.12 | <p>When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been</p> | <p>Biodiversity Net Gain information, Volume 4, Appendix [APP-193] identifies that the off-site approach to BNG has been completed without a LNRS being published. Should an LNRS be published post DCO award this will be further considered during the detailed design phase. At the detailed design phase a short-list of options would be compiled that would ensure that trading rules could be satisfied, that were most local to the losses or connected to strategic projects key to the Local Nature Recovery Network. This would be informed by discussions with biodiversity unit providers (to identify availability) and West Sussex County Council and SDNPA (to understand local priorities).</p> |

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| | | | | | published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use. | |
| | | | | 4.6.13 | <p>In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as</p> <ul style="list-style-type: none"> • reductions in GHG emissions • reduced flood risk • improvements to air or water quality, • climate adaptation, • landscape enhancement • increased access to natural greenspace, or • the enhancement, expansion or provision of trees and woodlands <p>The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p> | <p>The Proposed Development will help to achieve GHG reduction targets. Rampion 2 has a lifetime GHG emissions saving of 35,901ktCO₂e. In the context of the UK's carbon budgets it is assessed that the Proposed Development will contribute up to:</p> <ul style="list-style-type: none"> • 0.04% of the fourth carbon budget of 1,950MtCO₂e between 2023 to 2027, • 0.19% offset of the UK's fifth carbon budget of 1,725MtCO₂e between 2028 and 2032, and • 0.64% offset of the sixth carbon budget of 965MtCO₂e for 2033 to 2037 <p>The Applicant has also provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.6.14 | <p>The Environment Act 2021 mandated the preparation of Local Nature Recovery Strategies (LNRSs) across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRSs will also agree priorities for nature recovery and map the most valuable existing areas for nature.</p> | <p>Biodiversity Net Gain information, Volume 4, Appendix [APP-193] identifies that the off-site approach to BNG has been completed without a LNRS being published. Should an LNRS be published post DCO award this will be further considered during the detailed design phase.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |

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| | | | | | <p>They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government's 25 Year Environment Plan.</p> | |
| | | | | <p>4.6.15 – 4.5.16</p> | <p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project. Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook'²⁰, the government's guidance on Enabling a Natural Capital Approach (ENCA)²¹, and other tools that aim to enable wider benefits for people and nature.²²</p> | <p>The Proposed development is brought forward to help meet the government's climate change, and therefore greenhouse gas (GHG), targets. To this effect the operational GHG emissions associated with the Proposed Development are assessed within Volume 2, chapter 19 of the ES [APP-070]. Whilst some operational GHG emissions related to operation and maintenance activities are estimated, the Proposed Development is assessed as 'paying back' the GHG emissions emitted during its lifetime (during construction, operation and decommission) in approximately 10 months.</p> <p>Furthermore, the Applicant has also provided positive ecological enhancement proposals within the Outline Landscape and Ecology Management (LEMP) [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakdene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor.</p> |

²⁰ [Natural Capital Committee: natural capital workbook - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/90422/natural-capital-workbook.pdf)

²¹ For instance, Natural England has developed the Environmental Benefits from Nature tool, which is designed to work alongside Biodiversity metric 3.0 to provide developers, planners and other interested parties with a means of enabling wider benefits for people and nature from biodiversity net gain. This tool can be applied to locations in England and Wales, but some datasets may have limited coverage outside of England.

²² The Environment Act 2021 also allows for an extension to offshore development in the future.

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| | | | | | | As such, the application is considered to accord with the provisions of the NPS. |
| | | | | 4.6.17 | Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details. | Environmental net gain considerations have not featured as part of a strategic options appraisal process relevant to the Proposed Development. |
| | | 4.6 Environmental and Biodiversity Net Gain Secretary of State decision making | | 4.6.1 | Although achieving biodiversity net gain is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for Development Consent Order unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates. | The Applicant has made a commitment for Rampion 2 to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information. The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | | 4.6.2 | The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs. | The Applicant has made a commitment for Rampion 2 to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information. The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | | | 4.6.3 | The Secretary of State should give appropriate weight to environmental and biodiversity net gain, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited. |

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| | | | | | | <p>extension works and reinstatement for the works associated with the onshore cable corridor</p> <p>The Applicant has made a commitment for the Proposed Development to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information. It is considered that some weight could be attached to these net gains.</p> |
| | | | <p>4.7 Criteria for good design for Energy Infrastructure</p> | <p>4.7.2</p> | <p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> | <p>The design decisions taken in terms of the infrastructure and location are set out in ES Chapter 3 Alternatives, Volume 2 [APP-044]. From the outset the environment has been central to the design of Rampion 2, from its earliest stages, and this is demonstrated through the development of the Commitments Register [REP1-015].</p> <p>Further design considerations are set out in the Design and Access Statement [AS-003] which describes the approach to landscaping and appearance of the proposed onshore substation at Oakendene and the National Grid Bolney substation extension works.</p> <p>The Outline Landscape and Ecological Management Plan (oLEMP) [APP-232] includes the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. The onshore cable route will be completely buried for its entire length. ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] assesses the impacts on landscape. Opportunities to minimise impacts have been embedded into the design, as far as possible.</p> |

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| | | | | | | <p>With regards to the offshore infrastructure, good design has been embedded in Rampion 2 as far as possible, which has included sighting the WTG to reduce seascape, landscape and visual effects as far as possible (as assessed in ES Chapter 15 Seascape, landscape and visual impact assessment [APP-056]).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.7.3 | <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p> | <p>With the application of embedded measures, the noise and vibration assessment presented in ES Chapter 21 Noise and vibration, volume 2 [PEPD-018] concludes that the effects of the Proposed Development in relation to noise and vibration are not significant. ES Chapter 28 Population and human health, Volume 2 [APP-069] assesses the health impacts from noise exposure and vibration exposure to not be significant.</p> <p>The Outline Site Waste Management Plan (SWMP) [APP-225] accompanies the DCO Application and documents the Applicant's commitment to responsible waste management practices; to reduce, reuse and safely manage wastes that arise as a result of the operations.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.7.4 | <p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p> | <p>The design decisions that have informed the Proposed Development from the earliest stages are set out in the ES Chapter 3 Alternatives, Volume 2 [APP-044].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | 7 Criteria for good design for Energy Infrastructure Applicant's assessment | 4.7.5 | <p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to</p> | <p>The design decisions that have informed the Proposed Development from the earliest stages are set out in the ES Chapter 3 Alternatives, Volume 2 [APP-044].</p> |

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| | | | | | <p>maximise the value provided by the infrastructure. Design principles²³ should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p> | <p>ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] sets out the design principles that have been applied to the design of Rampion 2 particularly in regard to the spatial extent of the Offshore Array Area, and the seascape, landscape and visual rationale for selection of the Proposed Development design envelope for the Offshore Array Area.</p> <p>The design of the onshore elements of the Proposed Development has been an iterative process (Chapter 3: Alternatives, Volume 2 [APP-044]) that has sought to avoid sensitive features in the landscape wherever possible. Strategic principles to the landscape design and approach to embedded environmental measures are presented in Section 18.7 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059]. Chapter 3: Alternatives, Volume 2 of the ES [APP-044] sets out the alternatives that have been considered. The SLVIA is based on a Rochdale Envelope Approach, which is described in Section 15.7 of Volume 2, Chapter 15 of the ES: Seascape, landscape, and visual impact assessment [APP-056]. The Rochdale Envelope Approach and the acknowledged need to maintain flexibility until the detailed design stage, post consent, does not lend itself to further detailed consideration of WTG layout within the proposed array area within the SLVIA. However, a number of design principles have shaped the site boundary and placement of WTGs within it, as described in Section 15.7. This section of the SLVIA also sets out the embedded environmental measures applied to address effects on sensitive receptors.</p> |

²³ Design principles should take into account any national guidance on infrastructure design, this could include for example the Design Principles for National Infrastructure published by the National Infrastructure Commission, the National Design Guide and National Model Design Code, as well as any local design policies and standards. See <https://nic.org.uk/studies-reports/design-principles-for-national-infrastructure>; See <https://www.gov.uk/government/publications/national-design-guide>; and See <https://www.gov.uk/government/publications/national-model-design-code> In Wales, Future Wales, Planning Policy Wales and Technical Advice Notes set out the national planning policy to achieve good design in Wales; See <https://www.gov.wales/future-wales-national-plan-2040> <https://www.gov.wales/planning-policy-wales> <https://www.gov.wales/technical-advice-notes>

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| | | | | | | <p>The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works. This DAS includes the maximum parameters of the infrastructure which has informed the EIA process. The outcomes of the EIA process have informed the development of design principles which are secured in the DAS and with which the detailed design shall be in accordance. These include landscape and visual, historic environment, ecology, flood risk and drainage, climate change and ground conditions. The DAS has been prepared in conjunction with the Outline LEMP [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor. The submission and approval of a LEMP by the relevant planning authority in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is a draft DCO requirement [PEPD-009].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| <p>4.5 Criteria for “good design” for energy infrastructure</p> | <p>4.5.3</p> | <p>In the light of the above, and given the importance which the Planning Act 2008 places on good design and sustainability, the IPC needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. In so doing, the IPC should satisfy itself that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it</p> | | <p>4.7.6</p> | <p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed</p> | <p>The design of the Proposed Development has been iterative process. Chapter 3: Alternatives, Volume 2 of the ES [APP-044] details how the design of the Proposed Development has evolved and demonstrates that all aspects of site selection, site access and future access requirements have been addressed and incorporated. This chapter also includes a description of the main alternatives considered by the Applicant and the reasons for selecting the preferred options.</p> <p>Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045] includes a description of the measures that have been incorporated into the design of the Proposed Development. A range of embedded design</p> |

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| | | <p>would be located) as far as possible. Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area.</p> | | | <p>opportunities for nature inclusive design within the design process. In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be. In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p> | <p>measures in respect to minimising harm to the landscape and visual amenity are also outlined in Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059].</p> <p>A Design and Access Statement [APP-037] was provided as part of the DCO application, which has since been revised [AS-003]. This document includes the parameters of the onshore substation (including the Indicative Landscape Plan) and the design principles with which the detailed design phase would accord. The Indicative Landscape Plan (within the Design and Access Statement) will seek to mitigate landscape and visual as well as other environmental effects and where possible enhance landscape quality through use of sustainable landscape design techniques involving earthworks, sustainable drainage systems (SUDs), soft / hard landscaping including, but not limited to planting (trees, hedges and woodland), outline architectural strategy (building colours and materials) lighting details (emergency and intruder lighting) and perimeter fencing.</p> <p>As per the requirements of the draft DCO [PEPD-009] (which supersedes APP-019) the detailed design of the infrastructure will be provided for approval to the relevant planning authority alongside the detailed landscape design (Horsham District Council for the onshore substation and Mid-Sussex District Council for the National Grid Bolney substation extension works).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.5.4 | <p>For the IPC to consider the proposal for a project, applicants should be able to demonstrate in their application documents how the design process was conducted and</p> | | 4.7.7 | <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs</p> | <p>ES Chapter 3, Alternatives, Volume 2 [APP-044] outlines the alternatives considered by the Applicant. The Chapter presents the staged design process whilst identifying the main reasons for each of the options chosen and</p> |

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| | | how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected. In considering applications the IPC should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. | | 4.7.11 – 4.7.13 | were considered, applicants should set out the reasons why the favoured choice has been selected. In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible. In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period. | those not taken forward to a subsequent stage of the design evolution process. Appropriate alternatives have been considered, having regard to operational requirements, planning policy context, site constraints and development constraints (including the Crown Estate’s extension leasing process) and the outcomes of the environmental assessment process. The ES assesses all of the relevant, scoped in, environment impacts. Of particular relevance to the landscape are the impacts assessed in ES Chapter 15 Seascape, landscape and visual impact assessment [APP-056] and ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] . The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 4.5.5 | Applicants and the IPC should consider taking independent professional advice on the design aspects of a proposal. In particular, Design Council CABE can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. | Applicant assessment Secretary of State decision making | 4.7.8 4.7.14 | Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council ²⁴ can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any | ES Chapter 3: Alternatives, Volume 2 [APP-044] details how the design of the Proposed Development has evolved and demonstrates how the design of the Proposed Development seeks to minimise and mitigate adverse impacts. Engagement and consultation undertaken for the Proposed Development have informed the assessment work and the evolution of the design of Rampion 2. |

²⁴ For infrastructure in Wales, this is the Design Commission for Wales

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| | | | | | <p>design guidance developed by the local planning authority. The Secretary of State should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.²⁵</p> | <p>There have been opportunities for the development of environmental measures which have been adopted to reduce the potential for environmental impacts and effects. These were included directly into the design of the Proposed Development as embedded environmental measures and are detailed in the Commitments Register [REP1-015] (which has been updated at the Deadline 1 submission).</p> <p>A Design and Access Statement [APP-037] was provided as part of the DCO application, which has since been revised [AS-003]. This document includes the parameters of the onshore substation (including the Indicative Landscape Plan) and the design principles with which the detailed design phase would accord. As per the requirements of the draft DCO [PEPD-009] (which supersedes APP-019) the detailed design of the infrastructure will be provided for approval to the relevant planning authority alongside the detailed landscape design (Horsham District Council for the onshore substation and Mid-Sussex District Council for the National Grid Bolney substation extension works).</p> <p>Although the Applicant has not specifically engaged with the Design Council, it considers that the Proposed Development accords with these paragraphs of 2011 EN-1 and 2024 EN-1.</p> |
| | | | Secretary of State decision making | 4.7.15 | Further advice on what the Secretary of State should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant. | See responses to NPS EN-3 as relevant. |

²⁵ The Chief Planner's 2011 Letter about design and planning can be found here: See https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/8009/110520-Letter_to_Chief_Planning_Officers-Design_and_Planning.pdf Further information on the Design Council can be found here: See <https://www.designcouncil.org.uk/>

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| 4.8 Climate change adaptation | 4.8.1 4.8.2 | <p>– Part 2 of this NPS covers the Government’s energy and climate change strategy, including policies for mitigating climate change. This part of the NPS sets out how applicants and the IPC should take the effects of climate change into account when developing and consenting infrastructure. While climate change mitigation is essential to minimise the most dangerous impacts of climate change, previous global greenhouse gas emissions have already committed us to some degree of continued climate change for at least the next 30 years. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.</p> <p>Climate change is likely to mean that the UK will experience hotter, drier summers and warmer, wetter winters. There is a likelihood of increased flooding, drought, heatwaves and intense rainfall events, as well as rising sea levels. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.</p> | 4.10 Climate Change Adaptation and Resilience | 4.10.1 – 4.10.2 | <p>Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.</p> <p>Climate change is already altering the UK’s weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.</p> | <p>Each of the topic-specific ES chapters sets out the evolution of the baseline that would occur without the implementation of the Proposed Development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through the effects of climate change expected over the lifetime of Rampion 2.</p> <p>Consideration of climate change adaptation has been integrated into the design of the Proposed Development. This includes commitments to ensure the design will be built to be resilient to climate change. Relevant commitments are presented in the Commitments Register [REP1-015].</p> <p>ES Chapter 29 Climate Change, Volume 2 [APP-070] assesses the likely significant effects of the Proposed Development with respect to climate change in terms of GHG emissions and in terms the vulnerability of the Proposed Development to climate change (Climate Change Resilience ((CCR)). The CCR assessment focuses on the resilience of both the onshore and offshore elements of the Proposed Development to the impact of climate change throughout the construction, operation and maintenance and decommissioning phases. The interface with CCR and the other EIA aspects is captured in the In-Combination Climate Impacts (ICCI) assessment. The CCR and ICCI assessment both concluded that there are likely to be no significant effects remaining following the assessment of climate change impacts on the construction, operation and maintenance and decommissioning phases of the Proposed Development.</p> <p>The Applicant considers that the Proposed Development accords with these paragraphs of 2011 EN-1 and 2024 EN-1.</p> |

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| | 4.8.3 | To support planning decisions, the Government produces a set of UK Climate Projections and is developing a statutory National Adaptation Programme ²⁶ . In addition, the Government's Adaptation Reporting Power ²⁷ will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. The IPC may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure | | 4.10.3 | To support planning decisions, the government produces a set of UK Climate Projections as well as hazard-specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. | <p>UK Climate Projections 2018 (UKCP18) have been used in the Climate Change Resilience (CCR) assessment set out in ES Chapter 29 Climate Change, Volume 2) [APP-070]. ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements.</p> <p>The Applicant considers that the Proposed Development accords with these paragraphs of 2011 EN-1 and 2024 EN-1.</p> |
| | 4.8.4 | In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change (see Section 5.5). | Applicant assessment | 4.10.5-4.10.7 | In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits. | <p>ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements and considers relevant solutions.</p> <p>The predicted impact of Rampion 2 on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in ES Chapter 6 Coastal processes, Volume 2 [APP-047]. This has taken into account the government's Flood and Coastal Erosion Risk Management Policy Statement.</p> <p>The Applicant considers that the Proposed Development accords with these paragraphs of 2011 EN-1 and 2024 EN-1.</p> |

²⁶ s.58 of the Climate Change Act 2008.

²⁷ s.62 of the Climate Change Act 2008.

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| | | | | | <p>In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.</p> | |
| | 4.8.5 | <p>New energy infrastructure will typically be a long-term investment and will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. The ES should set out how the proposal will take account of the projected impacts of climate change. While not required by the EIA Directive, this information will be needed by the IPC.</p> | | 4.10.8 | <p>New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.</p> | <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] outlines the design evolution and the alternatives considered by the Applicant, which included consideration of the impacts of climate change. The chapter presents the staged design process whilst identifying the main reasons for each of the options chosen and those not taken forward to a subsequent stage of the design evolution process.</p> <p>Chapter 29: Climate change, Volume 2 of the ES [APP-070] presents the assessment of likely significance effects of the Proposed Development with respect to climate change. It presents the results of the assessment of the likely significant effects of Rampion 2 with respect to emissions of greenhouse gases (GHGs). It also contains a Climate Change Resilience (CCR) assessment which examines the likely significant effects that may be experienced by the Proposed Development as result of climate change, including how the design will mitigate the anticipated impacts of climate change.</p> <p>Consideration of climate change adaptation has been integrated into the design of the Proposed Development. This includes commitments to ensure the design will be built to be resilient to climate change. Relevant commitments are presented in the Commitments Register [APP-254] and within Table 29-23 of Chapter 29: Climate change, Volume 2 of the ES [APP-070].</p> |

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| | | | | | | <p>The Design and Access Statement [AS-003] sets out detailed designs for the onshore substation and existing National Grid Bolney substation extension will be resilient to climate change and able to withstand all foreseeable weather conditions during the operational life of the project. The DAS notes that concepts within relevant international and national guidance for embedding climate change into technical standards will be employed during the detailed design of all assets e.g., CEN/CENELEC GUIDE 32: Guide for addressing climate change adaptation in standards (2016).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 4.10.9 | <p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments,²⁸ Climate Impacts Tool,²⁹ and British Standards for climate change adaptation,³⁰ in accordance with the EIA Regulations.</p> | <p>The ES includes evidence of how the Proposed Development takes account of projected impacts of climate change using government guidance and industry standard benchmarks. ES Chapter 29 Climate Change, Volume 2 [APP-070] Table 29-23 outlines the range of embedded measures within the Proposed Development relevant to climate change. ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] takes into account the guidance on allowances for climate change for FRA.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.10.10 | <p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> | <p>ES Chapter 29 Climate Change, Volume 2 [APP-070] assesses the impacts of the Proposed Development across a range of climate change scenarios. Where available, climate variables for future climate conditions have been downloaded directly from UCKP18, relative to a 1981-2010 baseline. Where</p> |

²⁸ See <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances> or See <https://gov.wales/climate-change-allowances-and-flood-consequence-assessments-cl-03-16>

²⁹ [Climate impacts tool - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/climate-impacts-tool)

³⁰ [ISO 14090:2019 - Adaptation to climate change — Principles, requirements and guidelines](https://www.iso.org/standard/62646.html)

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| | | | | | | <p>information is not directly available, climate risks have been assessed using a combination of variables and/or sources and information outside of UKCP18, or from technical guidance provided alongside UKCP18. The future baseline considers Representative Concentration Pathway (RCPs) to understand changes in climate variables under a high emissions scenario (RCP8.5). The 10 percent, 50 percent and 90 percent probability levels are considered in the CCR assessment.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.10.11 | Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections. | <p>ES Chapter 29 Climate Change, Volume 2 [APP-070] Table 29-23 outlines the range of embedded measures within the Proposed Development relevant to climate change. The assessment set out in the chapter assumes vulnerability as a worst case across the lifetime of the Proposed Development. The future baseline considers RCPs to understand changes in climate variables under a high emissions scenario (RCP8.5).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 4.10.12 | Where energy infrastructure has safety critical elements , the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation. | <p>ES Chapter 29 Climate Change, Volume 2 [APP-070] Table 29-23 outlines the range of embedded measures within the Proposed Development relevant to climate change. The assessment set out in the chapter assumes vulnerability as a worst case across the lifetime of the Proposed Development. The future baseline considers RCPs to understand changes in climate variables under a high emissions scenario (RCP8.5).</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | 4.8.6 4.8.7 | – The IPC should be satisfied that applicants for new energy | Secretary of State decision making | 4.10.13 – 4.10.14 | The Secretary of State should be satisfied that applicants for new | ES Chapter 29 Climate Change, Volume 2 [APP-070] assesses the impacts of the |

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| | | <p>infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of the ES, the IPC should consider whether they need to request further information from the applicant</p> <p>Applicants should apply as a minimum, the emissions scenario that the Independent Committee on Climate Change suggests the world is currently most closely following – and the 10%, 50% and 90% estimate ranges. These results should be considered alongside relevant research which is based on the climate change projections.</p> | | | <p>energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections³¹ and associated research and expert guidance (such as the EA's Climate Change Allowances for Flood Risk Assessments³² or the Welsh Government's Climate change allowances and flood consequence assessments³³) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period. Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> | <p>Proposed Development in the construction, operation and maintenance and decommissioning phases using the latest UK Climate Projections (UK CP18) supplemented by literature review, to establish the current baseline and the climate trends of the future baseline. ES Chapter 29 Climate Change, Volume 2 [APP-070] Table 29-23 outlines the range of embedded measures within the Proposed Development relevant to the mitigation of, and adaptation to, the impacts of climate change.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.8.8 | The IPC should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that | | 4.10.15 | The Secretary of State should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate | The ES has taken into account EA UK CP18 and EA guidance on climate change allowances for FRA, which covers sea level rise, within ES Chapter 29 Climate Change, Volume 2 [APP-070] and ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] . The sequential approach for the siting of the landfall location has been taken so development is diverted to an area of the lowest flood risk, considering future sea level rise and the impacts of climate change. |

³¹ [UK Climate Projections \(UKCP\) - Met Office](#)

³² [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](#)

³³ [Climate change allowances and flood consequence assessments | GOV.WALES](#)

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| | | necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. | | | Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 4.8.9 | Where energy infrastructure has safety critical elements (for example parts of new fossil fuel power stations or some electricity sub-stations), the applicant should apply the high emissions scenario (high impact, low likelihood) to those elements. Although the likelihood of this scenario is thought to be low, it is appropriate to take a more risk-averse approach with elements of infrastructure which are critical to the safety of its operation. | | | | <p>ES Chapter 29 Climate Change, Volume 2 [APP-070] Table 29-23 outlines the range of embedded measures within the Proposed Development relevant to climate change. The assessment set out in the chapter assumes vulnerability as a worst case across the lifetime of the Proposed Development. The future baseline considers RCPs to understand changes in climate variables under a high emissions scenario (RCP8.5).</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |
| | 4.8.10 | If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the IPC should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS | | 4.10.16 | If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. | <p>ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.8.11 4.8.12 | – Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available ³⁴ and in consultation with the EA. Adaptation measures can be required to be implemented at the time of construction where necessary | | 4.10.17 – 4.10.19 | Any adaptation measures should be based on the latest set of UK Climate Projections 35, the government’s latest UK Climate Change Risk Assessment 36 , when available 37 and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments 38 or the Welsh Government’s Climate change | Measures to adapt the Proposed Development to the impacts of future climate change are set out in the Commitments Register [APP-254] and within Table 29-23 of Chapter 29: Climate change, Volume 2 of the ES [APP-070] . These measures have been developed through stakeholder engagement including with the EA. |

³⁴ s.56 of the Climate Change Act 2008.

³⁵ [UK Climate Projections \(UKCP\) - Met Office](#)

³⁶ [UK Climate Change Risk Assessment 2022 - GOV.UK \(www.gov.uk\)](#)

³⁷ s.56 of the Climate Change Act 2008

³⁸ [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](#)

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| | | <p>and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the IPC may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).</p> | | | <p>allowances and flood consequence assessments 39 . The Secretary of State may take into account reporting authorities' reports (see paragraph 4.10.4 above) to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure. Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the Secretary of State may consider requiring the applicant to keep the need for the adaptation measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).</p> | <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.8.13 | <p>The generic impacts advice in this NPS and the technology specific advice on impacts in the other NPSs provide additional information on climate change adaptation.</p> | Applicant assessment | 4.10.4 | <p>The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).</p> | <p>See responses to 2024 NPS EN-1 (5.3, 5.6 and 5.8) and EN-3 as relevant.</p> |

³⁹ [Climate change allowances and flood consequence assessments | GOV.WALES](#)

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| 4.9 Grid connection | 4.9.1 | The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In the market system, it is for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. The applicant will liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) to secure a grid connection. It may be the case that the applicant has not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application, although it is likely to have applied for one and discussed it with them. This is a commercial risk the applicant may wish to take for a variety of reasons, although the IPC will want to be satisfied that there is no obvious reason why a grid connection would not be possible. | 4.11 Network Connection | 4.11.1 - 4.11.4 4.11.5 – 4.11.6 | <p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p> <p>To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>Transmission network infrastructure, and related network reinforcement and upgrade works, associated with nationally significant low carbon infrastructure is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5.</p> <p>The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional DNO or TSO to secure a grid connection.</p> <p>Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application.⁴⁰ In this situation applicants should provide information as part of their application confirming</p> | <p>The Applicant has liaised with National Grid during the development of the project to ensure that there is sufficient capacity within the transmission network and to secure a grid connection at the existing Bolney substation, as detailed in ES Chapter 3: Alternatives, Volume 2 [APP-044].</p> <p>As described in Section 3.3, Chapter 3: Alternatives, Volume 2 of the ES [APP-044], National Grid has undertaken its own screening process to establish the preferred connection point in terms of feasibility, deliverability and environmental impact as part of the Connections Infrastructure Option Notice (CION) process. National Grid confirmed in February 2020 that their CION assessment had concluded Bolney would be the most economic and efficient grid connection location which meets the required capacity and Proposed Development timeframe. This will therefore be the basis of the Connection Agreement between National Grid and the Applicant.</p> <p>The Proposed Development would support the achievement of net zero. The Proposed Development includes offshore and onshore infrastructure, including a new substation at Oakendene, near Cowfold, and extension to the existing National Grid Bolney substation that form part of the CNP Infrastructure.</p> <p>The Applicant has liaised with National Grid during the development of the Rampion 2 project to secure a grid connection at the existing Bolney substation as detailed in ES Chapter 3 Alternatives, Volume 2 [APP-043] Section 3.3.</p> <p>The Proposed Development therefore accords with the relevant paragraphs of 2011 and 2024 NPS.</p> |

⁴⁰ Although it is likely to have applied for one and discussed it with them.

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| | | | | | that there is no obvious reason why a network connection would not be possible | |
| | 4.9.2 | The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. The Government therefore envisages that wherever possible, applications for new generating stations and related infrastructure should be contained in a single application to the IPC or in separate applications submitted in tandem which have been prepared in an integrated way. However this may not always be possible, nor the best course in terms of delivery of the project in a timely way, as different aspects may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls). So the level of information available on the different elements may vary. In some cases applicant(s) may therefore decide to put in an application that seeks consent only for one element but contains some information on the second. Where this is the case, the applicant should explain the reasons for the separate application. | | 4.11.7 – 4.11.10 | The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall. On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements ⁴¹ and explain the reasons for the separate application | The DCO application is a single application that includes the offshore generating station, offshore substations and cables, and associated development comprising export cables to landfall location at Climping, West Sussex, underground cable connection between the landfall and an onshore substation known as Oakendene, and then to the existing National Grid substation at Bolney, with an extension to and connection into that substation. |
| | | | | | | The Proposed Development therefore accords with the relevant paragraphs of 2011 and 2024 NPS. |

⁴¹ It is acknowledged that different levels of information may be available at different times and as such applicants should take a proportionate approach to what information should be included.

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| | | | | | <p>confirming that there are no obvious reasons for why other elements are likely to be refused.</p> <p>If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms ⁴² as outlined in EN-5.</p> | |
| | | | Secretary of State decision making | 4.11.11 – 4.11.13 | <p>The Secretary of State should consider guidance contained within EN-5.</p> <p>The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p> <p>Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State’s ability to take subsequent decisions on any related projects.</p> | <p>Section 3.3 of ES Chapter 3: Alternatives, Volume 2 [APP-044] sets out the basis of the Connection Agreement between National Grid and the Applicant.</p> <p>The Proposed Development therefore accords with the relevant paragraphs of 2024 NPS.</p> |
| 4.10 Pollution control and other environmental | 4.10.3 | In considering an application for development consent, the IPC should focus on whether the development itself is an acceptable use of the land, | 4.12 Pollution Control and Other Environmental Regulatory Regimes | 4.12.1 – 4.12.3 | Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, | The Applicant recognises that some issues may be subject to separate regulatory regimes including environmental permitting. The Other Consents and Licences [APP-033] document |

⁴² The transition to more co-ordinated transmission is led by two temporal workstreams under the Offshore Transmission Network Review (OTNR). Co-ordinated transmission projects were brought forward as pathfinders as part of the Late Stage projects workstream (formerly known as Early Opportunities). For other offshore wind projects, their connection to a transmission network forms part of the Holistic Network Design under the ‘Pathway to 2030’ workstream.

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| regulatory regimes | | <p>and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The IPC should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them.</p> | Secretary of State decision making | 4.12.9 – 4.12.10 | <p>freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health. Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate. In considering an application for development consent the Secretary</p> | <p>submitted with the DCO Application identifies the other consents and licences required and provides details of when they will be required. The Outline Code of Construction Practice (CoCP) [PEPD-033] and Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to pollution control onshore and offshore respectively. The Other Consents and Licences [APP-033] document submitted with the DCO Application identifies the other consents and licences required and provides details of when they will be required.</p> <p>As demonstrated in the Planning Statement [APP-036] the Applicant considers Rampion 2 to be an acceptable use of the land and sea and accords with the NPSs. Whilst DCO Application documents that will ensure potential pollution is minimised include the Outline Project Environmental Management Plan (PEMP) [APP-232], which includes an Outline Marine Pollution Contingency Plan at Appendix A, in relation to offshore works, and Outline Landscape and Ecology Management Plan (LEMP) [APP-232] and Code of Construction Practice (COCP) [PEPD-033] in relation to onshore works.</p> <p>The Proposed Development therefore accords with the relevant paragraphs of 2011 and 2024 NPS.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>of State should focus on whether the development itself is an acceptable use of the land or sea, and the impact of that use, rather than the control of processes, emissions or discharges themselves.⁴³</p> <p>The Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The Secretary of State should act to complement but not seek to duplicate them.</p> | |
| | 4.10.4 | Applicants should consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by s.23 of the Marine and Coastal Access Act 2009). The IPC consent may include a deemed marine licence and the MMO will advise on what conditions should apply to the deemed marine licence. The IPC and MMO should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation, including European directives | Applicant assessment | 4.12.5 | Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government. | <p>The scope of the EIA has been informed by ongoing consultation and engagement with statutory consultees (including the MMO) through the Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP-254]. The Other Consents and Licences document [APP-033] identifies the other consents, licences and agreements that are required to allow the construction, operation and maintenance of the Proposed Development.</p> <p>Provision for a Deemed Marine Licence has been included within the draft DCO [PEPD-009]. The Marine Management Organisation (MMO) is responsible for enforcement and ongoing management of licence conditions, and Planning Inspectorate is expected to liaise closely with the MMO on the proposed terms of the DML.</p> <p>The Proposed Development therefore accords with the relevant paragraphs of 2011 NPS and 2024 NPS.</p> |

⁴³ See paragraph 188 of section 15 of the NPPF

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| | 4.10.5 | Many projects covered by this NPS will be subject to the Environmental Permitting (EP) regime, which also incorporates operational waste management requirements for certain activities. When a developer applies for an Environmental Permit, the relevant regulator (usually EA but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements. In considering the impacts of the project, the IPC may wish to consult the regulator on any management plans that would be included in an Environmental Permit application. | Applicant assessment | 4.12.6 | Many projects covered by this NPS will be subject to the Environmental Permitting Regulations, which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant Environmental Permitting Regulations requirements. ⁴⁴ In considering the impacts of the project, the Secretary of State may wish to consult the regulator on any management plans that would be included in an Environmental Permit application. | The Other Consents and Licences document [APP-033] identifies the other consents, licences and permits that are likely to be required and provides details of when they will be required. The Proposed Development therefore accords with the relevant paragraphs of 2011 NPS and 2024 NPS. |
| | | | Secretary of State decision making | 4.12.13 | | |
| | 4.10.6 | Applicants are advised to make early contact with relevant regulators, including EA and the MMO, to discuss their requirements for environmental permits and other consents. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the IPC. Wherever possible, applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the IPC for development consent. | | 4.12.7 – 4.12.8 | Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other consents, such as marine licences. Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent. | The Applicant has engaged with the MMO and EA in the pre-application phase through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]). The Other Consents and Licences [APP-033] document submitted with the DCO Application identifies the other consents and licences likely to be required. These are detailed in the application form [APP-002] . The Proposed Development therefore accords with the relevant paragraphs of 2011 and 2024 NPS. |
| | | | | 4.12.11 – 4.12.12 | The Secretary of State's consent may include a deemed marine licence and the MMO, or NRW, will advise on | The Draft DCO [APP-019] includes Deemed Marine Licences (DML) under Part 4 of the Marine and Coastal Access Act 2009. |

⁴⁴ [Environmental permitting guidance: Core guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/environmental-permitting-guidance-core-guidance)

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | <p>what conditions should apply to the deemed marine licence. The Secretary of State and the MMO, or NRW, should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.</p> | <p>The Proposed Development therefore accords with the relevant paragraphs of 2024 NPS.</p> |
| | | | | 4.12.14 | <p>The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts.</p> | <p>A detailed account of the full range of potential environmental impacts associated with the Proposed Development is included in the ES. The relevant ES chapters conclude that there are no likely significant effects either from the project alone, or cumulatively with other plans and projects, from any sources of pollution within the offshore and onshore environment. This is based on the measures that the Applicant will implement including the Outline Project Environmental Management Plan (PEMP) [APP-232], which includes an Outline Marine Pollution Contingency Plan at Appendix A, and Code of Construction Practice (COCP) [PEPD-033].</p> <p>The Proposed Development therefore accords with the relevant paragraph of 2024 NPS.</p> |
| | 4.10.7 | <p>The IPC should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, the Countryside Council for Wales, Drainage Boards, and water and sewerage undertakers, the IPC should be satisfied, before consenting any potentially polluting developments, that:</p> <ul style="list-style-type: none"> the relevant pollution control authority is satisfied that potential releases can be adequately regulated under | | 4.12.15 | <p>Working in close cooperation with the EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the Secretary of State should be satisfied, before consenting any potentially polluting developments, that:</p> <ul style="list-style-type: none"> the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework the effects of existing sources of pollution in and around the site are not such that | <p>A detailed account of the full range of potential environmental impacts associated with the Proposed Development is included in the ES. The relevant ES chapters conclude that there are no likely significant effects either from the project alone, or cumulatively with other plans and projects, from any sources of pollution within the offshore and onshore environment. This is based on the measures that the Applicant will implement including the Outline Project Environmental Management Plan (PEMP) [APP-232], which includes an Outline Marine Pollution Contingency Plan at Appendix A, and Code of Construction Practice (COCP) [PEPD-033].</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | <p>the pollution control framework; and</p> <ul style="list-style-type: none"> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits. | | | <p>the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.</p> | <p>The Proposed Development therefore accords with the relevant paragraphs of 2011 NPS and 2024 NPS.</p> |
| | 4.10.8 | <p>The IPC should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted.</p> | | 4.12.16 | <p>The Secretary of State should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the Secretary of State to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.</p> | <p>The Applicant sees no impediment to obtaining any of the consents, licences and permits identified in Other Consents and Licences [APP-033] and sees no reason why these should not be forthcoming.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| 4.11 Safety | 4.11.1 | <p>HSE is responsible for enforcing a range of occupational health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Applicants should consult with the Health and Safety Executive (HSE) on matters relating to safety.</p> | 4.13 Safety | 4.13.1 – 4.13.2 | <p>In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure.</p> <p>Some technologies, for example major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.</p> | <p>The Applicant has consulted the Health and Safety Executive (HSE) and the HSE has confirmed that it will not advise against the granting of the DCO. This is confirmed within ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068].</p> <p>See responses to NPS EN-3, as relevant.</p> |

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| | 4.11.3 | Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 1999. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE and the EA acting jointly in England and Wales (and by the HSE and Scottish Environment Protection Agency acting jointly in Scotland). The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes | | 4.13.3 – 4.13.4 | Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. ⁴⁵ These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear) and the EA acting jointly in England and Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes. | <p>ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068] confirms that the Proposed Development is not going to be a COMAH establishment, as it does not store or use Dangerous / Hazardous Substances in significant quantities.</p> <p>The Other Consents and Licences [APP-033] document submitted with the DCO Application identifies the other consents and licences likely to be required. These are detailed in the application form [APP-002].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.11.4 | Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and | <p>Applicant assessment</p> <p>Secretary of State decision making</p> | 4.13.5 – 4.13.7 4.13.8 | <p>Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the</p> | <p>The Applicant has consulted the Health and Safety Executive (HSE) on the Proposed Development and the HSE has confirmed that it will not advise against the granting of the DCO application. This is document in ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068].</p> <p>ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068] confirms that the Proposed Development does not fall under the Control of Major Accident Hazards Regulations 2015 (COMAH). A safety report is not required.</p> |

⁴⁵ [Control Of Major Accident Hazards Regulations 2015 \(COMAH\) \(hse.gov.uk\)](https://www.hse.gov.uk/comah/)

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| | | mitigate major accidents. The IPC should be satisfied that an assessment has been done where required and that the Competent Authority has assessed that it meets the safety objectives described above. | | | inherent features of the design are sufficient to prevent, control and mitigate major accidents. The Secretary of State should be satisfied that a safety assessment has been prepared, where required, and that the Competent Authority has raised no safety objections. | It is considered that the Proposed Development accords with the paragraph of 2011 and 2024 EN-1. |
| 4.12 Hazardous Substances | 4.12.1 | All establishments wishing to hold stocks of certain hazardous substances above a threshold need Hazardous Substances consent. Applicants should consult the HSE at pre-application stage ⁴⁶ if the project is likely to need hazardous substances consent. Where hazardous substances consent is applied for, the IPC will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent ⁴⁷ . The IPC should consult HSE about this. | 4.14 Hazardous Substances | 4.14.1 – 4.14.4 | All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent'. ⁴⁸ The Hazardous Substances Authority (HSA) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. The HSA will usually be the local planning authority. In some circumstances, the county council are the HSA. HSE is a statutory consultee on applications for hazardous substances consent. HSE is required to undertake detailed assessment work before producing its public safety statutory advice and the supporting consultation distances. This involves HSE considering the compatibility of the proposal outlined in the application (e.g. to store defined quantities of each hazardous substance in specific locations on site) against the risks to the offsite population. HSE advice takes into account existing and potential developments in the area. The aim of HSE's advice is to mitigate the effects of a major accident on the | <p>Planning (Hazardous Substances) Regulations 2015 do not apply to the Proposed Development.</p> <p>The Applicant has consulted the Health and Safety Executive (HSE) on the Proposed Development and the HSE has confirmed that it will not advise against the granting of the DCO application. This is documented in ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068].</p> <p>The Applicant has consulted the Health and Safety Executive (HSE) on the Proposed Development and the HSE has confirmed that it will not advise against the granting of the DCO application.</p> <p>As noted in ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068], the HSE in their response to the second Statutory Consultation exercise in 2022 indicated three Major Accident Hazard pipelines and a licensed explosives site. Following further design evolution, the Proposed Development is located entirely outside of the safeguarded area for the explosives site however the onshore cable corridor crosses each of the pipelines. RED has committed to ensuring that the design of the Proposed Development will not be objected to by the HSE, by ensuring that any development in</p> |

⁴⁶ <http://www.hse.gov.uk/landuseplanning/nsip->

⁴⁷ Hazardous substances consent can also be applied for subsequent to a DCO application. However, the guidance in 4.12.1 still applies i.e. the application should consult with HSE at the pre-application stage and include details in their DCO

⁴⁸ Further information is available at the HSE's website: HSE: Land use planning - Hazardous substances consent

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| | | | | | populations around a major hazard site or pipeline. Where HSE does not advise against the Secretary of State granting the consent, it will also recommend whether the consent should be granted subject to any requirements. | the proximity of hazardous sites which cannot be sited elsewhere is of suitable type, and the number of people is reduced so far as is reasonably practicable. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | Applicant assessment | 4.14.5 | Applicants must consult the (HSA) and HSE at pre-application stage if the project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety. | Planning (Hazardous Substances) Regulations 2015 do not apply to the Proposed Development. |
| | 4.12.3 | HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at preapplication stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. | Applicant assessment | 4.14.6 | HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register. Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting | As noted in ES Chapter 27: Major accidents and disasters, Volume 2 [APP-068] , the Applicant has engaged with HSE and the relevant Hazardous Substance Authority to determine the location, and operational and future status of the only relevant Major Accident Hazard site known as Aerosol Manufacturing plc. This site was identified by HSE in its response to the Scoping Report (RED, 2020), as it was located within the Scoping Boundary and therefore could be located in close proximity to the onshore part of the Proposed Development. The Applicant subsequently approached the four Hazardous Substances Authorities which cover the area (West Sussex County Council, Arun District Council, Horsham District Council, and Mid Sussex District Council) to determine the status of this site (Aerosol Manufacturing plc). Horsham District Council subsequently confirmed on 05 December 2022 that they had issued a consent for this site to the land on the Star Trading Estate in Partridge Green and the consent was still valid. Although it is unclear if this land is still being used for the storage of hazardous substances, a 150m consultation distance applies around this site. The proposed DCO Order Limits are entirely outside of this |
| | | | Secretary of State decision making | 4.14.7 | | |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | development consent. ⁴⁹ The Secretary of State should consult HSE about this. | <p>consultation zone and therefore it is not likely to affect the Proposed Development.</p> <p>Planning (Hazardous Substances) Regulations 2015 do not apply to the Proposed Development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| 4.13 Health | 4.13.1 | Energy production has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the production, distribution and use of energy may have negative impacts on some people’s health. | 4.4 Health | 4.4.1 | Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health. | <p>ES Chapter 28: Population and human health, Volume 2 of the ES [APP-069] provides an assessment of the health impacts of the Proposed Development, including cumulative effects. Additionally, potential risks to health are considered and assessed as part of the topic specific chapters.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.13.2 | As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant and the IPC should consider the cumulative impact on health. | Applicant assessment | 4.4.4 – 4.4.5 | As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. | <p>The impact on health related to transport, access to open space and recreation is assessed in ES Chapter 28 Population and human health, Volume 2 [APP-069]. The DCO application is also supported by Equalities Impact Assessment, ES Volume 4 Appendix 28.3 [APP-221] which identifies no adverse equality impacts.</p> <p>Potential impacts on health which may arise as a result of Rampion 2 have been assessed in ES Chapter 28 Population and human health, Volume 2 [APP-069] in the construction, operation and decommissioning phases. Additionally, potential risks to health are considered and assessed as part of the topic specific chapters.</p> |

⁴⁹ 7 Hazardous substances consent can also be applied for subsequent to a Development Consent Order application. However, the guidance in 4.13.1 still applies i.e. the applicant should consult with HSE at the preapplication stage and include details in their Development Consent Order

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| | | | | | | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 4.13.3 | The direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests. | | 4.4.2 | The direct impacts on health may include: <ul style="list-style-type: none"> • increased traffic • air or water pollution • dust, odour • hazardous waste and substances • noise • exposure to radiation, and • increases in pests. | <p>The direct impacts on health are assessed in ES Chapter 28: Population and human health, Volume 2 of the ES [APP-069]. For the construction and decommissioning phase, the assessment considers the health effects from changes in:</p> <ul style="list-style-type: none"> • Air quality (dust, odour, road traffic and construction equipment on site); • Noise exposure; • Vibration exposure; • Transport nature and flow; • Visual amenity; • Exposure to land contamination; • Access to opportunities for physical activity; and • Socio-economic factors. <p>In the operation and maintenance phase health effects from changes in noise exposure, exposure to EMF and visual amenity are assessed. The assessment has been informed by the other environmental topic chapters of the ES, as appropriate.</p> <p>The application is also supported by a Statutory Nuisance Statement [APP-032] which considers possible sources of nuisance arising from the Proposed Development and how they may be mitigated or limited under the provisions of section 79(1) of the Environmental Protection Act 1990. The Proposed Development will not result in a statutory nuisance with respect to dust, odour, artificial light, smoke, steam and insect infestation.</p> <p>No significant effects were found in the assessment of all health receptors. Therefore, it is considered that there are no health concerns that would constitute a reason to refuse the DCO Application.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 4.13.4 | New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity | | 4.4.3 | New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity | <p>The impact on health related to transport, access to open space and recreation is assessed in ES Chapter 28: Population and human health, Volume 2 of the ES [APP-069]. The DCO application is also supported by an Equalities Impact Assessment, ES Volume 4 Appendix 28.3 [APP-221]. The EqlA identifies the potential impacts of the Proposed Development on people with characteristics protected under the Public Sector Equality Duty (PSED). The assessment concludes that no adverse quality effects are expected as a result of the construction, operation and maintenance, or decommissioning phases of the Proposed Development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 4.13.5 | Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refused consents or require specific mitigation under the Planning Act 2008. However, the IPC will want to take account of health concerns when setting requirements relating to a range of impacts such as noise. | Secretary of State decision making | 4.4.7 – 4.4.8 | Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise. | <p>See response to 4.13.3 of 2011 NPS EN-1 (4.4.2 of 2024 NPS EN-1).</p> <p>With the application of embedded measures, the noise and vibration assessment presented in ES Chapter 21 Noise and vibration, volume 2 [PEPD-018] concludes that the effects of the Proposed Development in relation to noise and vibration are not significant. ES Chapter 28 Population and human health, Volume 2 [APP-069] assesses the health impacts from noise exposure and vibration exposure to not be significant.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | <p>confirmation of this to the IPC. The IPC should not need to give any further consideration to the details of the security measures in its examination.</p> <p>The applicant should only include sufficient information in the application as is necessary to enable the IPC to examine the development consent issues and make a properly informed decision on the application.</p> | | | <p>development consent issues and make a properly informed decision on the application.</p> | <p>structures during construction and a 50m radius safety zone will be sought prior to commissioning; and</p> <ul style="list-style-type: none"> • Appropriate lighting and markers for aviation and navigation for WTG and offshore substations foundations. <p>This information is considered to be sufficient to enable an informed decision to be made on the DCO application.</p> <p>The Applicant has submitted a thorough DCO Application. The Application has been prepared in accordance with the Applicant's scoping report and the SoS's Scoping Opinion [APP-125] and Response to the Scoping Opinion [APP-126].</p> <p>The Applicant has had due regard to consultation responses from statutory and non-statutory stakeholders (see the Consultation Report [APP-027] and Consultation Report appendices [APP-028-APP030], the Evidence Plan Report [APP-243 to APP-253]).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | Secretary of State decision making | 4.16.10 | <p>The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government's Environmental Improvement Plan 2023.</p> | <p>The range of assessments in Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrate how the Applicant has taken into account how the Proposed Development would affect environmental well-being.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| 5.2 Air quality and emissions | 5.2.6 | <p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES).</p> | 5.2 Air Quality and Emissions Applicant's assessment | 5.2.8 | <p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.</p> | <p>Volume 2, Chapter 19 of the ES: Air Quality [APP-060] provides an assessment of the potential air quality effects of the Proposed Development.</p> |

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| | | | | | | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.27 | <p>The ES should describe:</p> <ul style="list-style-type: none"> any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; existing air quality levels and the relative change in air quality from existing levels; and any potential eutrophication impacts. | | 5.2.9 | <p>The ES should describe:</p> <ul style="list-style-type: none"> existing air quality concentrations and the relative change in air quality from existing levels; any significant air quality effects, mitigation action taken and any residual effects, distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts. | <p>The existing air quality levels and current baseline is section out in Section 19.6 of Volume 2, Chapter 19 of the ES: Air Quality [APP-060].</p> <p>The existing air quality concentrations are set out in section 19.6 of ES Chapter 19 Air Quality, Volume 2 [APP-060].</p> <p>The embedded environmental measures relevant to air quality are set out in Section 19.7. Table 19-29 sets out the relevant embedded environmental measures within the design and how these affect the air quality assessment. The assessment of air quality effects during the construction, operation and maintenance and decommissioning phase is set out in Sections 19.9-19.10.</p> <p>A summary of residual effects for air quality is provided in Section 19.14.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.2.10 | <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> | <p>Table 19-1 in ES Chapter 19 Air Quality, Volume 2 [APP-060] includes a list of legislation relevant to the assessment of the effects on air quality receptors. This list includes the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.2.11 | <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the</p> | <p>The baseline conditions for air quality are described in section 19.6 of ES Chapter 19 Air Quality, Volume 2 [APP-060]. This has been informed by data from a number of sources,</p> |

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| | | | | | <p>evidence base changes and the applicant should ensure these are current at the point of an application. The applicant's assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source.</p> | <p>including the most recently published Defra background maps.</p> <p>As such, it is considered that the ES for Rampion 2 is in accordance with paragraph 5.2.11 of EN-1.</p> |
| | | | | 5.2.12 | <p>Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.</p> | <p>As demonstrated by ES Chapter 19 Air Quality, Volume 2 [APP-060] Rampion 2 will not result in air quality breaches and effects of the Proposed Development on air quality will not be significant.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.2.13 | <p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy⁵⁰ in England, or the Clean Air Plan for</p> | <p>This paragraph is for the Secretary of State for consideration during any decision making, and as such does not apply to the applicant.</p> <p>An Outline Construction Traffic Management Plan (CTMP) [APP-228] is provided with the application and will reduce the potential for effects on transport. It includes measures in relation to air quality e.g. to route HGVs to avoid the Air Quality Management Area (AQMA) in Cowfield where possible.</p> |

⁵⁰ [The air quality strategy for England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/strategies/air-quality-strategy-for-england)

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| | | | | | Wales in Wales ⁵¹ , or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance. ⁵² | The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | | 5.2 Air Quality and Emissions Secretary of State decision making | 5.2.15 | Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023. | <p>ES Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrates that the potential environmental impacts of the Proposed Development have been comprehensively assessed. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in the design of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements.</p> <p>These embedded environmental measures also include those that have been identified as good or standard practice and include actions that will be undertaken to meet existing legislation requirements.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | 5.2.9 | The IPC should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. However air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits. | | 5.2.16 | The Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives or targets. | <p>As demonstrated by Volume 2, Chapter 19 of the ES: Air Quality [APP-060], the Proposed Development will not result in air quality breaches and effects of the Proposed Development on air quality will not be significant.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁵¹ [Clean Air Plan for Wales: Healthy Air, Healthy Wales | GOV.WALES](https://www.gov.uk/clean-air-plan-for-wales)

⁵² [Fine particulate air pollution \(PM2.5\): setting targets - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/fine-particulate-air-pollution-pm25-setting-targets)

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| | 5.2.10 | In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the IPC should refuse consent. | | 5.2.17 – 5.2.19 | The Secretary of State should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent. In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent. | The Proposed Development has been designed to avoid sensitive locations. As demonstrated by Volume 2, Chapter 19 of the ES: Air Quality [APP-060] , the Proposed Development will not result in air quality breaches and effects of the Proposed Development on air quality will not be significant. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.2.11 5.2.12 | – The IPC should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the IPC may refer to the conditions and advice in the Air Quality Strategy ⁵³ or any successor to it. | | | | This paragraph is for the consideration of the decision maker and as such does not apply to the Applicant. However, embedded environmental measures have been incorporated into the design of the Proposed Development to minimise air quality impacts and further environmental measures in the Outline CoCP [PEPD-033] secured in the DCO Requirements. In particular: <ul style="list-style-type: none"> the use of best practice measures as described in Institute of Air Quality Management (IAQM) guidance on the Assessment of Dust from Demolition and Construction 2016; where practical sensitive sites will be avoided by temporary and permanent onshore project footprint; Sullington Hill LWS will be crossed using a trenchless method such as HDD; |

⁵³ <http://www.defra.gov.uk/environment/quality/air/airquality/strategy/index.htm>

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| | | | | | | <ul style="list-style-type: none"> the onshore cable will be constructed in discrete sections within as short a construction timeframe as possible; the typical construction working area will be 40m along the onshore cable route to minimise construction footprint; the use of core construction hours for onshore elements; and the proposed heavy goods vehicle (HGV) routeing during the construction period to individual accesses will avoid the Cowfold AQMA where possible. See Outline Construction Traffic Management Plan [PEPD-035a] for further details. <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |
| | 5.2.13 | The mitigations identified in Section 5.13 on traffic and transport impacts will help mitigate the effects of air emissions from transport. | Applicant's assessment | 5.2.14 | The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport. | <p>See response to 5.13 above (5.14 in the 2024 NPS).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | 5.3 Greenhouse Gas Emissions Applicant's assessment | 5.3.4 | <p>All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.3). This should include:</p> <ul style="list-style-type: none"> A whole life GHG assessment showing construction, operational and decommissioning GHG impacts, including impacts from change of land use; An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages; Measurement of embodied GHG impact from the construction stage; | <p>The DCO Application is accompanied by an ES. Volume 2, Chapter 29: Climate Change [APP-070] includes a GHG assessment, which is supported by supporting data for the Greenhouse Gas Assessment in Volume 4 Appendix 29.1 Supporting data for the Green House Green assessment [APP-222].</p> <p>The construction, operational and decommissioning GHG impacts are set out in paragraphs 29.4.12 - 29.4.4, with an estimation of GHG emissions associated with each stage of the Proposed Development shown in tables 29-7 and 29-8.</p> <p>A range of environmental measures have been embedded into the Proposed Development in order to minimise emissions. These are set out in Table 29-5.</p> |

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| | | | | | <ul style="list-style-type: none"> • How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures; • How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology; • Calculation of operational energy consumption and associated carbon emissions. • Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework; • Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed. | <p>The GHG assessment demonstrates that the Proposed Development has a lifetime GHG emissions saving of 35,901 ktCO₂e. In the context of the UK's carbon budgets it is assessed that the Proposed Development will contribute up to; 0.04% of the fourth carbon budget of 1,950MtCO₂e between 2023 to 2027; 0.19% offset of the UK's fifth carbon budget of 1,725MtCO₂e between 2028 and 2032, and; 0.64% offset of the sixth carbon budget of 965MtCO₂e for 2033 to 2037.</p> <p>The Proposed Development would continue to offset GHG emissions until 2050, and therefore make a positive contribution the UK Government target to reach net zero emissions in 2050. The Proposed Development is assessed as 'paying back' the GHG emissions emitted during its lifetime in less than a year (approximately 10 months). It is concluded that the GHG effect of the Proposed Development is beneficial (Significant).</p> <p>As such, it is considered that the ES for Rampion 2 is in accordance with paragraph 5.3.4 of EN-1.</p> |
| | | | Mitigation | 5.3.5 – 5.3.6 | <p>A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed</p> | <p>ES Chapter 29: Climate Change, Volume 2 [APP-070] of the ES includes a GHG assessment. As part of the assessment, a number of embedded environmental measures are proposed to mitigate emissions during all stages of the Proposed Development. These are shown in Table 29-5.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |

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| | | | | | development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning. | |
| | | | | 5.3.7 | Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats. | As set out within Volume 2, Chapter 19 of the ES [APP-070] the GHG effect of the Proposed Development is Beneficial (Significant). This is because the Proposed Development has net GHG emissions below zero, causing an indirect reduction in atmospheric GHG emissions. The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1. |
| | | Secretary of State decision making | | 5.3.8 – 5.3.10 | The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The Secretary of State should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development. The Secretary of State should give appropriate weight to projects that embed nature-based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure. | ES Chapter 29: Climate Change, Volume 2 [APP-070] of the ES includes a GHG assessment. As part of the assessment, a number of embedded environmental measures are proposed to mitigate emissions during all stages of the Proposed Development. These are shown in table 29-5. The GHG assessment demonstrates that the Proposed Development has a lifetime GHG emissions saving of 35,901 ktCO ₂ e. In the context of the UK’s carbon budgets it is assessed that the Proposed Development will contribute up to; 0.04% of the fourth carbon budget of 1,950MtCO ₂ e between 2023 to 2027; 0.19% offset of the UK’s fifth carbon budget of 1,725MtCO ₂ e between 2028 and 2032, and; 0.64% offset of the sixth carbon budget of 965MtCO ₂ e for 2033 to 2037. The Proposed Development would continue to offset GHG emissions until 2050, and therefore make a positive contribution the UK Government target to reach net zero emissions in 2050. The Proposed Development is assessed as ‘paying back’ the GHG emissions emitted during its lifetime in less than a year (approximately 10 months). It is concluded that the GHG effect of |

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| | | | | | | the Proposed Development is beneficial (Significant). |
| | | | | | | As such, it is considered that Rampion 2 is in accordance with this paragraph of 2024 EN-1. |
| | | | | 5.3.11 – 5.3.12 | <p>Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Section 2.4), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions.</p> <p>Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.</p> | <p>The operational GHG emissions associated with the Proposed Development are assessed within ES Chapter 29: Climate Change, Volume 2 [APP-070]. Whilst some operational GHG emissions related to operation and maintenance activities are estimated, the Proposed Development is assessed as ‘paying back’ the GHG emissions emitted during its lifetime (during construction, operation and decommission) in approximately 10 months.</p> |
| | | | | | | As such, it is considered that Rampion 2 is in accordance with this paragraph of 2024 EN-1. |
| 5.3 Biodiversity | 5.3.3 | Where the development is subject to EIA the applicant should ensure that | | | | The Proposed Development has been subject to EIA as evidenced by the ES. |

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| and geological conservation | | <p>the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the IPC consider thoroughly the potential effects of a proposed project.</p> | | | | <p>ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] assesses the effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity.</p> <p>The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that the RIAA has not identified any Adverse Effects on Integrity (AEI) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEI Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEI in respect of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in Rampion 2 and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] considers the effects of onshore infrastructure on designated sites of geological conservation importance. There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area but</p> |

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| | 5.3.4 | The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. | | | | <p>the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases.</p> <p>It is therefore considered that the Proposed Development is in accordance with paragraph 5.3.3 of EN-1.</p> <p>In terms of biodiversity, embedded environmental measures are detailed in Section 22.7 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063]. The Applicant has provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development.</p> <p>The Applicant has also made a commitment for Rampion 2 to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] describes the methods and results of the analysis using the biodiversity metric, the assumptions used to define a realistic worst-case scenario, the approach to refining BNG calculations at the detailed design stage, approach to delivering newly created and enhanced habitats to meet the target and how</p> |

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| 5.3.6 | <p>In having regard to the aim of the Government's biodiversity strategy the IPC should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The IPC may take account of any such net benefit in cases where it can be demonstrated.</p> | | <p>these will be secured for a period of at least 30 years.</p> | <p>Geological interests have been conserved through the route chosen for the onshore cable corridor. Two LIGS are present within the Study Area, but the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided.</p> | <p>Embedded environmental measures are detailed in Section 22.7 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063]. The Applicant has provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which sets out the proposed approach to the landscaping and habitat creation at the onshore substation at Oakdene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development. Replacement planting will be characteristic of the area and resilient to climate change (see environmental measure C-193).</p> | <p>The Applicant has also made a commitment for Rampion 2 to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] describes the methods and results of the analysis using the biodiversity metric, the assumptions used to define a realistic worst-case scenario, the approach to refining BNG calculations at the detailed design stage, approach to delivering newly created and enhanced habitats to meet the target and how</p> |

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| | | | | | | <p>these will be secured for a period of at least 30 years.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |
| | 5.3.7 | <p>As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in Section 4.4 above); where significant harm cannot be avoided, then appropriate compensation measures should be sought.</p> | | | | <p>As detailed in ES Chapter 3 Alternatives, Volume 2 [APP-044], where possible, the design of the Proposed Development has in the first instance sought to avoid harm to biodiversity or geological conservation interests.</p> <p>The assessment in ES Chapter 22: Terrestrial ecology and nature conservation [APP-063] has considered the likely significant effects of the Proposed Development on a range of terrestrial ecological features, including both statutory and non-statutory designated sites, habitats (including habitats of principal importance) and species (including those that receive legal protection and species of principal importance). No significant effects on these features are assessed.</p> <p>The effects of onshore infrastructure on designated sites of geological conservation importance associated with the Proposed Development are considered in ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065]. There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area but the design of the Proposed Development onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |

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| | 5.3.8 | In taking decisions, the IPC should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment. | | | | <p>Through the application of a robust approach to site selection, as demonstrated in Chapter 3 of the ES: Alternatives, Volume 2 [APP-044], the Applicant has avoided designated sites wherever practicable.</p> <p>The Applicant has assessed likely significant effects on the conservation objectives of sites designated under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations' as part of the UK National Site Network within the Report to Inform Appropriate Assessment (RIAA) [APP-038].</p> <p>It is noted that the RIAA has not identified any Adverse Effects on Integrity (AEoI) on the conservation objectives of any sites designated as part of the UK National Site Network. However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for the Proposed Development should the SoS conclude AEoI on Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEoI in respect of the conservation objectives of the kittiwake feature of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in the Proposed Development and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>Effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in ES Chapter 22: Terrestrial ecology and nature</p> |

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| | | | | | | <p>conservation, Volume 2 [APP-063]. The onshore landfall proposed DCO Order Limits overlaps with Climping Beach SSSI. Direct impacts will be avoided through the use of horizontal directional drilling (HDD) techniques (C-43 in Commitments Register [APP-254]). The Applicant has concluded that there are no AEol for all international sites, and a conclusion of no significant effect with regards the EIA Regulations for national and locally designated sites.</p> <p>The Applicant considers that the decision maker can place appropriate weight on the avoidance of adverse effects on integrity when considering the planning balance.</p> |
| International Sites | 5.3.9 | The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection. ⁵⁴ | 5.4 Biodiversity and Geological Conservation Habitats Regulations | 5.4.4 - 5.4.6 | The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required: (a) potential Special Protection Areas and possible Special Areas of Conservation; (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph. | <p>The Report to Inform Appropriate Assessment (RIAA) [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEol Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the kittiwake FFC SPA then, there are demonstrable imperative reasons of overriding public interest in the</p> |

⁵⁴ <http://www.jncc.gov.uk/page-161>

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| | | | | | The British Energy Security Strategy ⁵⁵ committed to establishing strategic compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information. | <p>Proposed Development and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Sites of Special Scientific Interest (SSSIs) | 5.3.10 | Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs. | Sites of Special Scientific Interest (SSSIs) | 5.4.7 | Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs. | <p>Effects on nationally designated SSSIs are assessed in ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] Sections 22.6 and 22.9. With regards to offshore ecology, ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] Sections 8.9, 8.10 and 8.11 assesses any potential impacts to features of SSSIs.</p> <p>ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] Section 9.9 to 9.12 assesses indirect impacts on SSSIs. The onshore landfall proposed DCO Order Limits overlaps with Climping Beach SSSI. Direct impacts will be avoided through the use of horizontal directional drilling (HDD) techniques (C-43 in Commitments Register [APP-254]. No ground-breaking activity or use of wheeled or tracked vehicles will take place south of the seawall within Climping Beach SSSI although pedestrian access for monitoring is required. The scale of change to this SSSI is assessed as negligible in the EIA, with the effect not significant.</p> <p>No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁵⁵ [British energy security strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/british-energy-security-strategy)

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| | 5.3.11 | Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site ⁵⁶ , clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful ⁵⁷ aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest. | Secretary of State decision making – Sites of Special Scientific Interest (SSSIs) | 5.4.8 | Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs. The Secretary of State should use requirements and/or planning obligations to mitigate the harmful ⁵⁸ aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest. | See response to 5.3.10 (5.4.7 of 2024 NPS). The assessments in ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] , ES Chapter 8: Fish and shellfish ecology [APP-049] , and ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] identify no adverse effects on SSSIs. |
| | | 5.4.50 | | | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. | |
| Marine Conservation Zones | 5.3.12 | Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ, which provides statutory protection for these areas implemented by the | Marine Conservation Zones | 5.4.9 | Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ | A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed. There are two MCZs within the vicinity of the Proposed Development fish and shellfish Study Area, the Kingmere MCZ (protected feature includes black seabream (<i>Spondyliosoma cantharus</i>)) and the Selsey Bill and The Hounds MCZ (protected feature includes European native oyster (<i>Ostrea edulis</i>)). However, the proposed DCO Order Limits does not cross any |
| | | | Secretary of State decision making – | 5.4.51 | | |

⁵⁶ At this site' applies the language in PPS9: Biodiversity and Geological Conservation. The benefits of the development 'at this site' should be interpreted as including any benefits which are not dependent on a particular location.

⁵⁷ In line with the principle in paragraph 4.2.11, the term 'harm' should be understood to mean 'significant harm'.

⁵⁸ In line with the principle in paragraph 4.3.8, the term 'harm' should be understood to mean 'significant harm'.

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| | | MMO (see paragraph 1.2.2). As a public authority, the IPC is bound by the duties in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009. | Marine Conservation Zones | | <p>Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p> <p>The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.</p> | <p>MCZs. Any potential impacts to fish and shellfish features of the identified MCZs have been assessed in Sections 8.9, 8.10 and 8.11 of ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049]. There are no significant effects on the features of these MCZs.</p> <p>There are three MCZs within the benthic subtidal and intertidal ecology study area (secondary ZOI), which comprise of the Kingmere, Offshore Overfalls and Pagham Harbour MCZs. Benthic features of these MCZs have been assessed within Sections 9.9 to 9.12 of ES Chapter 9: Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the features of these MCZs.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | Marine Protected Areas | 5.4.11 | <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p> | <p>A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed.</p> <p>There are two MCZs within the vicinity of the Proposed Development fish and shellfish Study Area, the Kingmere MCZ (protected feature includes black seabream (<i>Spondyliosoma cantharus</i>)) and the Selsey Bill and The Hounds MCZ (protected feature includes European native oyster (<i>Ostrea edulis</i>)). However, the proposed Order Limits does not cross any MCZs. Any potential impacts to fish and shellfish features of the identified MCZs have been assessed in Sections 8.9, 8.10 and 8.11 of ES Chapter 8 Fish and shellfish ecology, Volume 2 [APP-049]. Any potential impacts to features of SSSIs have also been assessed in Sections 8.9, 8.10 and 8.11. There are no significant effects on the features of these MCZs or SSSIs.</p> <p>There are three MCZs within the benthic subtidal and intertidal ecology study area (secondary</p> |

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| | | | | | | <p>ZOI), which comprise of the Kingmere, Offshore Overfalls and Pagham Harbour MCZs. Benthic features of these MCZs have been assessed within Section 9.9 to 9.12 of ES Chapter 9, Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the features of these MCZs.</p> <p>The onshore landfall proposed Order Limits overlaps with Climping SSSI, which contains intertidal ecology. However, this is to allow for an area of HDD works, which will be underneath the cliff face and the intertidal area. It will not be on the surface of the beach. The overlap with the proposed Order Limits has not been removed, to allow space for the HDD. Potential indirect effects to features have been assessed within Section 9.9 of ES Chapter 9, Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the SSSI.</p> |
| Regional and Local Sites | 5.3.13 | Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The IPC should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent. | Regional and Local Sites | 5.4.12 | Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature’s recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. | Two Local Wildlife Sites (LWS) are crossed by the proposed onshore cable corridor whilst one Local Nature Reserve (LNR) is within the proposed DCO Order Limits. ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] assesses negligible (not significant) effects on LWS. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases. Effects on sites of geological importance are assessed in ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] . There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area, but the design of the proposed onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases. |
| | | | Secretary of State decision making – Regional and Local Sites | 5.4.52 | The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. | |

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| | | | | | | <p>The effects on regionally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in ES Chapter 22 Terrestrial ecology and nature conservation, Volume 2 [APP-063]. There are no significant effects on local designations.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.4.13 | National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. | <p>Figure 22.2.4 of Appendix 22.2: Terrestrial ecology desk study, Volume 4 of the ES [APP-180] illustrates the locations of the non-statutory nature conservation sites including LWS. ES Chapter 22 Terrestrial ecology and nature conservation, Volume 2 [APP-063] assesses negligible (not significant) effects on LWS.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| Ancient Woodland and Veteran Trees | 5.3.14 | Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location ⁵⁹ outweigh the loss of the woodland habitat. Aged or ‘veteran’ trees found outside ancient woodland are also particularly valuable for biodiversity | Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats | 5.4.14 – 5.4.15 | Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the government’s policy for ancient and native trees and woodlands in England sets out the government’s commitment to | No ancient woodland or veteran trees will be lost or changed in the construction phase despite ancient woodland being present within and adjacent to the proposed DCO Order Limits. The design of the cable installation ensures that ancient woodland at Michelgrove Park and Calcot Wood will be crossed using a trenchless technique such as HDD (see C-216 of the Commitments Register [REP1-015]). Embedded environmental measure C-216 will ensure that there will be no construction vehicular access or ground works within these Ancient Woodlands, with pedestrian access only required to use monitoring equipment to trace the path of the drill head. Additionally, ground |

⁵⁹ “In that location” applies the language in PPS9: Biodiversity and Geological Conservation. The benefits of the development in that location should be interpreted as including any benefits which are not dependent on a particular location.

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| | | and their loss should be avoided ⁶⁰ . Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why. | <p>Applicant assessment – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats</p> <p>Secretary of State decision making – Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats</p> | 5.4.32 5.4.53 | <p>maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen. Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.⁶¹</p> <p>The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons ⁶² and a suitable compensation strategy exists.</p> | <p>works will be restricted to areas in excess of 25m from the edge of ancient woodland (C-216). A ‘no dig’ specialist has appraised the trenchless crossing locations and assessed them as suitable, with risks of a fluid breakout being very low and manageable.</p> <p>Veteran trees will be retained through the implementation of embedded environmental measure C-174 of the Commitments Register [REP1-015] which ensures either a buffer zone of 15 times the diameter of the tree or 5m from the edge of the tree’s canopy will be maintained (as per Natural England and Forestry Commission guidelines) or a trenchless crossing with a depth of at least 6m below ground will be used (C-216). Negligible (not significant) effects on ancient woodland and veteran trees are assessed in the ES.</p> <p>The approach to avoidance and mitigation of effects are described in ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] Section 22.7 and the Outline Code of Construction Practice (CoCP) [PEPD-033] (which supersedes APP-224).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Biodiversity within Developments | 5.3.15 | Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the IPC should maximise such opportunities in and around developments, using | | | | The Applicant has provided positive ecological enhancement proposals within the Outline Landscape and Landscape and Ecology Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works |

⁶⁰ This does not prevent the loss of such trees where the IPC is satisfied that their loss is unavoidable.

⁶¹ Applicants in Wales should consult PPW 6.4.26

⁶² For example where the public benefits (including need) of the nationally significant energy infrastructure would clearly outweigh the loss or deterioration of the habitat.

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| | | requirements or planning obligations where appropriate. | | | | <p>and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development.</p> <p>The Applicant has also made a commitment for Rampion 2 to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] describes the methods and results of the analysis using the biodiversity metric, the assumptions used to define a realistic worst-case scenario, the approach to refining BNG calculations at the detailed design stage, approach to delivering newly created and enhanced habitats to meet the target and how these will be secured for a period of at least 30 years.</p> <p>The Proposed Development therefore accords with this paragraph of the 2011 NPS EN-1.</p> |
| Protection of Habitats and Other Species | 5.3.16 | Many individual wildlife species receive statutory protection under a range of legislative provisions. ⁶³ | Protection and enhancement of habitats and species | 5.4.16 | Many individual species receive statutory protection under a range of legislative provisions. ⁶⁴ Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate | ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] sets out the assessment of the likely significant effects of the Proposed Development on a range of terrestrial ecological features, including statutory and non-statutory designated sites, habitats (including habitats of principal importance) and species (including those that receive legal protection and species of principal importance). |
| | | | Applicant assessment – Protection and | 5.4.33 - 5.4.34 | | |

⁶³ Certain plant and animal species, including all wild birds, are protected under the Wildlife and Countryside Act 1981. European plant and animal species are protected under the Conservation of Habitats and Species Regulations 2010. Some other animals are protected under their own legislation, for example Protection of Badgers Act 1992.

⁶⁴ Certain plant and animal species, including all wild birds, are protected under the Wildlife and Countryside Act 1981. Certain plant and animal species are also protected under the Conservation of Habitats and Species Regulations 2017. Some other animals are protected under their own legislation, for example Protection of Badgers Act 1992.

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| | | | <i>enhancement of habitats and species</i> | | <p>mitigation and adaptation and thereby requiring conservation action.⁶⁵ Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6.</p> <p>Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.</p> | <p>The design of the Proposed Development has evolved to avoid, as far as possible, effects on designated sites, Habitats of Principal importance (HPI) and habitats used frequently by Species of Principal Importance (SPI). Within the proposed DCO Order Limits this can be seen in the Vegetation retention plans within the Outline CoCP [PEPD-033] (which supersedes APP-224). Embedded environmental measures are described in Section 22.7 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] with further detail in the Outline CoCP [PEPD-033] (which supersedes APP-224) and the Outline LEMP [APP-232].</p> <p>The assessment in ES Chapter 22 Terrestrial ecology and nature conservation [APP-063] has considered the likely significant effects of the Proposed Development on a range of terrestrial ecological features, including both statutory and non-statutory designated sites, habitats (including habitats of principal importance) and species (including those that receive legal protection and species of principal importance). No significant effects are assessed.</p> <p>The Applicant has provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] identifies that the off-site approach to BNG has been completed without a Local Nature Recovery Strategies (LNRS) being published. Should an LNRS be published post DCO award this will be further considered during the detailed design phase. At the detailed design</p> |

⁶⁵ Lists of habitats and species of principal importance for the conservation of biological diversity in England published in response to Section 41 of the Natural Environment and Rural Communities Act 2006 are available from the Biodiversity Action Reporting System website. See section 7 of the Environment (Wales) Act 2016 for a list of habitats and species of principle importance in Wales.

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| | | | | | | <p>phase a short-list of options would be compiled that would ensure that trading rules could be satisfied, that were most local to the losses or connected to strategic projects key to the Local Nature Recovery Network. This would be informed by discussions with biodiversity unit providers (to identify availability) and West Sussex County Council and SDNPA (to understand local priorities).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.3.17 | Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action ⁶⁶ . The IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the IPC should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development. | Secretary of State decision making – Protection and enhancement of habitats and species | 5.4.54 – 5.4.55 | <p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result unless there is an overriding public interest, and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p> | <p>ES Appendix 22.2: Terrestrial ecology desk study, Volume 4 [APP-180] identifies that the Proposed Development avoids interaction with the majority of species and habitats of principle importance as a result of the robust approach to site selection outlined in ES Chapter 3 Alternatives, Volume 2 [APP-044].</p> <p>Habitats and potentially species which exist or use the existing Proposed Development site will be affected during construction, operation or decommissioning. However, taking into consideration the measures embedded into the Proposed Development set out in Section 22.7 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] the assessment concludes that effects upon habitats and species will not be significant.</p> <p>The embedded environmental measures within the Outline Code of Construction Practice [PEPD-033] provide the measures that ensure that any potential effects are avoided, minimised or mitigated to ensure both legal compliance and to avoid effects on the conservation status of local populations.</p> |

⁶⁶ Lists of habitats and species of principal importance for the conservation of biological diversity in England published in response to Section 41 of the Natural Environment and Rural Communities Act 2006 are available from the Biodiversity Action Reporting System website at <http://www.ukbap-reporting.org.uk/news/details.asp?X=45>

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| | | | | | | <p>The onshore landfall proposed Order Limits overlaps with Climping Beach SSSI. Direct impacts will be avoided through the use of horizontal directional drilling (HDD) techniques (C-43 in Commitments Register [REP1-015]). Whilst the onshore landfall interacts with the location of the SSSI, the scale of change to this SSSI is assessed as negligible, with the effect not significant.</p> <p>The Report to Inform Appropriate Assessment (RIAA) [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that the RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for the Proposed Development, should the SoS conclude AEol on Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the conservation objectives of the kittiwake feature of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in the proposals and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>This report [APP-039] provides an overview of the current position to date and communications with Natural England. It sets out the possible options for compensation, including examples of</p> |

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| | | | | | | <p>compensation solutions used on other offshore wind projects, and provides an Action Plan in the form of a flow chart which outlines possible solutions for the different scenarios which may occur.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Mitigation | 5.3.18 | <p>The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that :</p> <ul style="list-style-type: none"> during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; habitats will, where practicable, be restored after construction works have finished; and opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals | Mitigation | 5.4.35 | <p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</p> <ul style="list-style-type: none"> during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works. the timing of construction has been planned to avoid or limit disturbance. during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements habitats will, where practicable, be restored after construction works have finished. opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or | <p>Detailed consideration of the proposed mitigation measures which ensure that the development does not result in significant effects is outlined in Table 22-20 of ES Chapter 22: Terrestrial ecology and nature conservation [APP-063].</p> <p>The design of the Proposed Development seeks to minimise the loss of existing vegetation through avoidance. The Outline Code of Construction Practice (CoCP) [PEPD-033] covers the ecology issues associated with construction works. This includes measures to ensure legal compliance with relevant wildlife legislation, vegetation retention plans, pollution control and scheduling of construction works to minimise effects.</p> <p>The Outline Landscape and Ecology Management Plan (LEMP) [APP-232] includes the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development. The submission and approval of a LEMP by the relevant planning authority in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is a draft DCO requirement (Draft DCO [PEPD-009]).</p> |

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| | | | | | <p>enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.</p> <ul style="list-style-type: none"> • mitigations required as a result of legal protection of habitats or species will be complied with. | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | | 5.4.36 | Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages. | These requirements are met within the Outline Code of Construction Practice (COCP) [PEPD-033] and Outline LEMP [APP-232] . |
| | | | | 5.4.38 | To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals. | The effects of onshore infrastructure on designated sites of geological conservation importance associated with Rampion 2 are considered in ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] . There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area but the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases. A Geodiversity Management Strategy is not appropriate for the Proposed Development. |
| | 5.3.19 | Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the IPC should consider what appropriate requirements should be | | | | The Applicant has undertaken a comprehensive assessment with appropriate mitigation measures identified within the ES topic chapters. These measures are secured in the Draft DCO [PEPD-009] which also includes the Deemed Marine Licences (DML). |

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| | | attached to any consent and/or planning obligations entered into | | | | As such it is considered that is in accordance with this paragraph of 2011 NPS EN-1. |
| | 5.3.20 | The IPC will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licences, including protected species mitigation licences. | | 5.4.45 | The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The Secretary of State will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences. | <p>The design of the Proposed Development and scope of the assessment has been informed by extensive consultation and engagement with consultees, including with Natural England and the MMO.</p> <p>The Other Consents and Licences [APP-033] provides a list of other consents, licences and permits that the Applicant may need to enable the construction, operation, maintenance and decommissioning of the Proposed Development.</p> <p>Statements of Common Ground will explain the evolving extent of agreement reached in relation to mitigation and the nature of the discussions which have and continue to be held.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | 5.4 Biodiversity and Geological Conservation Applicant assessment | 5.4.17 | Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. | <p>The effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in ES Chapter 22 Terrestrial ecology and nature conservation, Volume 2 [APP-063]. Additionally, the Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEoI) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> |

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| | | | | | | <p>However, the Applicant has provided the ‘without prejudice’ Article 6(4) Habitats Regulations Assessment (HRA) (Without prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEoI Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEoI in respect of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in Rampion 2 and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA. The effects of onshore infrastructure on designated sites of geological conservation importance associated with Rampion 2 are considered in ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065]. There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area but the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Applicant considers that the Proposed Development is in accordance with paragraph 5.4.17 of EN-1.</p> |
| | | | | 5.4.19 | The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. ⁶⁷ | The Applicant has provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It |

⁶⁷ See, for example, the biodiversity planning toolkit created by the Association of Local Government Ecologists in partnership with NGOs, Defra, SNCB and the Environment Agency.

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| | | | | | | <p>also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development.</p> <p>The Applicant has also made a commitment for Rampion 2 to deliver a Biodiversity Net Gain (BNG) of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] describes the methods and results of the analysis using the biodiversity metric, the assumptions used to define a realistic worst-case scenario, the approach to refining BNG calculations at the detailed design stage, approach to delivering newly created and enhanced habitats to meet the target and how these will be secured for a period of at least 30 years.</p> <p>Geological interests have been conserved through the route chosen for the onshore cable corridor. Two LIGS are present within the Study Area but the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.20 – 5.4.21 | <p>Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in</p> | <p>To ensure an overall positive outcome to biodiversity, all temporary onshore habitat loss will be reinstated within two years of the loss occurring as outlined in the Outline Landscape and Ecology Management Plan [APP-232], secured by Requirement 12 of the Draft DCO [PEPD-009] and trees removed will be replaced in greater numbers (see Appendix 22.16: Arboricultural Impact Assessment, Volume 4 of the ES [APP-194] which is to</p> |

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| | | | | | wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project. | <p>be added to the Outline Landscape and Ecology Management Plan [APP-232] for Deadline 3) in addition to the overall biodiversity net gain outlined in the Biodiversity Net Gain information, Volume 4, Appendix [APP-193].</p> <p>This biodiversity net gain will be front loaded to ensure that new habitats are being created or existing habitats enhanced prior to and during the construction phase.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.22 | The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development. | <p>The design of Rampion 2 has taken into account the mobile/migratory species and the effects on mobile/migratory species have been assessed in the ES within Chapters 8 Fish and shellfish ecology [APP-049], Chapter 9 Benthic, subtidal, and intertidal ecology [APP-050], Chapter 11 Marine mammals [APP-052], Chapter 12 Offshore and intertidal ornithology [APP-053], and Chapter 22 Terrestrial ecology and nature conservation [APP-063].</p> <p>The ES has also considered the potential for transboundary effects for those topic areas identified as potentially giving rise to significant effects in the Scoping Report (Fish and shellfish ecology, marine mammals, ornithology, commercial fisheries, shipping and navigation, and other marine users). No significant transboundary effects have been identified as arising from the Proposed Development.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.23 | Energy projects will need to ensure vessels used by the project follow | Vessels engaged in the construction, operation and maintenance or decommissioning of Rampion 2 will comply with all regulatory requirements. ES Chapter 4: The Proposed Development, Volume 2 [APP-045] outlines the maximum vessel assumptions and parameters. |

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| | | | | | existing regulations and guidelines to manage ballast water. ⁶⁸ | <p>An Outline Marine Pollution Contingency Plan (MPCP) has been submitted as part of the Outline Project Environmental Plan [APP-233]. This provides details of procedures to protect personnel working and to safeguard the marine environment in the event of an accidental pollution event arising from offshore operations relating to the construction phase of the Proposed Development. A Final MPCP following the framework set out in this document will be produced prior to construction. A list of vessels that may be involved in construction and/or operation will be provided, and further detail will be supplied in the Final MPCP.</p> <p>Controls for any wastewater discharges (such as effluent discharges, ballast waters, bilge waters, and deck runoff) will be included in the Final PEMP (to be prepared in accordance with the Outline Project Environmental Plan [APP-233]) in accordance with latest legislation, regulatory limits and good practice.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | Secretary of State decision making | 5.4.39 | The government's 25 Year Environment Plan ⁶⁹ and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's Environmental Improvement Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere. | ES Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrates that the potential environmental impacts of the Proposed Development have been comprehensively assessed. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in the design of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements. |

⁶⁸ The UK regulations on Ballast Water Management can be found here. Guidance has been published in MSN 1908 and MGN 675

⁶⁹ [25 Year Environment Plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/25-year-environment-plan)

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| | | | | | | <p>These embedded environmental measures also include those that have been identified as good or standard practice and include actions that will be undertaken to meet existing legislation requirements.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.41 | <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.</p> | <p>The assessment in ES Chapter 22 Terrestrial ecology and nature conservation [APP-063], has considered the likely significant effects of the Proposed Development on a range of terrestrial ecological features, including both statutory and non-statutory designated sites, habitats (including habitats of principal importance) and species (including those that receive legal protection and species of principal importance). No significant effects on these features are assessed.</p> <p>The Applicant is committed to delivering net benefits for biodiversity as outlined in the Biodiversity Net Gain Information, Volume 4, Appendix [APP-193]. The Applicant has also provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development.</p> <p>As such, the Applicant considers that the Proposed Development accords with EN-1 paragraph 5.4.41.</p> |
| | | | | 5.4.42 | <p>As a general principle, and subject to the specific policies below, development should, in line with the</p> | <p>As detailed in ES Chapter 3 Alternatives, Volume 2 [APP-044], where possible, the design of Rampion 2 has in the first instance</p> |

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| | | | | | <p>mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.3 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.</p> | <p>sought to avoid harm to biodiversity or geological conservation interests.</p> <p>The assessment in ES Chapter 22 Terrestrial ecology and nature conservation [APP-063] has considered the likely significant effects of the Proposed Development on a range of terrestrial ecological features, including both statutory and non-statutory designated sites, habitats (including habitats of principal importance) and species (including those that receive legal protection and species of principal importance). No significant effects on these features are assessed.</p> <p>The effects of onshore infrastructure on designated sites of geological conservation importance associated with Rampion 2 are considered in ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065].</p> <p>There are no geological SSSIs present within the Study Area. Two Locally Important Geological Sites (LIGSs) are present within the Study Area but the design of Rampion 2 onshore cable route has ensured direct interaction with these sites is avoided. No significant effects have been identified on terrestrial ecology features during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.44 | <p>The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for</p> | <p>The requirement for a biodiversity net gain strategy which accords with the Biodiversity Net Gain Information [APP-193] to be submitted to and approved by West Sussex County Council and South Downs National Park is secured in the draft DCO [PEPD-009] before commencement on onshore works. The Biodiversity Net Gain Information [APP-193] outlines how newly created and enhanced habitats will be secured and managed for a period of at least 30 years.</p> |

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| | | | | | compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer. | <p>The submission and approval of a LEMP by the relevant planning authority, in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is also a draft DCO requirement [PEPD-009].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.46 – 5.4.47 | <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited. When considering proposals, the Secretary of State should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain as part of or in addition to the approach set out at Section 4.6.</p> | <p>The Applicant has provided positive ecological enhancement proposals within the Outline Landscape and Ecology Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor. It also includes the monitoring and management requirements to ensure success of the embedded environmental measures designed to minimise impacts resulting from the Proposed Development.</p> <p>The submission and approval of a LEMP by the relevant planning authority in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is a draft DCO requirement [PEPD-009].</p> <p>The Proposed Development therefore accords with this paragraph of the 2024 NPS EN-1.</p> |
| | | | | 5.4.48 | <p>In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.</p> | <p>Through the application of a robust approach to site selection, as demonstrated in ES Chapter 3 Alternatives, Volume 2 [APP-044], the Applicant has avoided designated sites wherever practicable.</p> <p>The Applicant has assessed likely significant effects on the conservation objectives of sites designated under the Conservation of Habitats and Species Regulations 2017 and the</p> |

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| | | | | | | <p>Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations' as part of the UK National Site Network within the Report to Inform Appropriate Assessment (RIAA) [APP-038]. It is noted that the RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the 'without prejudice' Article 6(4) Habitats Regulations Assessment (HRA) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for Rampion 2 should the SoS conclude AEol on Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEol in respect of the conservation objectives of the kittiwake feature of the FFC SPA then, there are demonstrable imperative reasons of overriding public interest in Rampion 2 and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA. Effects on internationally, nationally and locally designated sites of ecological conservation importance (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in ES Chapter 22 Terrestrial ecology and nature conservation, Volume 2 [APP-063]. The onshore landfall proposed DCO Order Limits overlaps with Climping Beach SSSI. Direct impacts will be avoided through the use of horizontal directional drilling (HDD) techniques (C-43 in Commitments Register [REP1-015]). The Applicant has concluded that there are no AEol for all international sites, and a conclusion of no significant effect with regards the EIA Regulations for national and locally designated sites.</p> |

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| | | | | | | The Applicant considers that the Secretary of State can place appropriate weight on the avoidance of significant adverse effects when considering the planning balance. |
| | | | 5.5 Civil and Military Aviation and Defence Interests | 5.5.2 | Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised. | A number of statutory consultation exercises have been undertaken with stakeholders and consideration has been given to the aviation interests of the CAA, MoD, regional airports, local aerodromes, NATS and other UK aviation stakeholders. As such, it is considered that the ES for Rampion 2 is in accordance with paragraph 5.5.2 of EN-1. |
| | | 5.5.3 | | Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts. | ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] provides an assessment of Rampion 2 on civil and military aviation. Overall, the ES concludes that the Proposed Development will not result in significant effects on civil and military aviation and defence interests. The Applicant therefore considers it to be in accordance with paragraph 5.5.3 of 2024 EN-1. | |
| | | 5.5.4 – 5.5.5 | | Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change's 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar. | Rampion 2 will contribute towards the generation of electricity to meet the needs of the UK, through the provision of an estimated 1,200MW of renewable energy. Rampion 2 will support achievement of the national target of 50GW of offshore wind capacity by 2030 set out in the British Energy Security Strategy (BEIS, 2022). Rampion 2 will help to meet the UK's carbon budget. ES Chapter 29: Climate change, Volume 2 [APP-070] assesses that Rampion will contribute up to a 0.64% offset of the sixth carbon budget of 965MtCO _{2e} for 2033 to 2037. | |

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| | | | | | <p>UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> | |
| | | | <p>Communications, navigation and surveillance (CNS) infrastructure</p> | <p>5.5.28</p> | <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p> | <p>ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] Table 14-10 outlines that measures will be adopted at the commencement of works on Rampion 2 to ensure that the aviation sector is made aware of the creation of a further aviation obstacle in the English Channel. These measures will include issuing Notices to Airmen (NOTAMs) and Aeronautical Information Circulars (AICs), warning of the establishment of obstacles within the Rampion 2 array area and publicity in such aviation publications as Safety Sense and the General Aviation Safety Council (GASCo) Flight Safety magazine.</p> <p>At various points during the development details of the position, height (amsl) and lighting of each of the completed permanent structures will be forwarded to the CAA Aeronautical Information Service (AIS) for inclusion in the AIP and on relevant aeronautical charts, as notifiable</p> |

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| <p>5.4 Civil and military aerodromes, aviation technical sites, and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> | 5.4.10 | <p>Where the proposed development may have an effect on civil or military aviation and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.2).</p> | <p>5.5 Civil and Military Aviation and Defence Interests Applicant assessment</p> | 5.5.37 | <p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> | <p>ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] provides an assessment of the Proposed Development on civil and military aviation.</p> <p>Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], sections 14.9-14.11. As part of the Rampion 2 design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on civil and military aviation. These are set out within table 14-10.</p> <p>Rampion 2 WTGs are likely to cause interference on the Pease Pottage en route radar facility. However, consultation with the radar operator is ongoing to agree a mitigation solution which will make the impact Not Significant.</p> <p>The maximum Rampion 2 WTG blade tip height may infringe the minimum obstacle clearance</p> |

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| | | | | | | <p>requirements of Shoreham Airport's published Instrument Flight Procedures. These procedures are used by aircraft to make safe approaches to the Airport. An assessment and revision of the procedures will make the impact Not Significant.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.5.38 | The requirement for ATC and non-cooperative surveillance – i.e. radar/tracking technologies – forms part of the environmental baseline for proposed developments | <p>ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] Section 14.5 sets out the methodology for baseline data gathering whilst Section 14.6 sets out the baseline conditions, including ATC.</p> |
| | 5.4.11 | The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests. | | 5.5.39 | The applicant should consult the MOD, Met Office, Civil Aviation Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests. | <p>A number of statutory consultation exercises have been undertaken with stakeholders and consideration has been given to the aviation interests of the CAA, MoD, regional airports, local aerodromes, NATS and other UK aviation stakeholders. As such, it is considered that the Proposed Development is in accordance with EN-1.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.4.12 | Any assessment of aviation or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), other defence assets and aerodrome operational procedures. It should also assess the cumulative effects of the project with other relevant projects in relation to aviation and defence. | | 5.5.40 | Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects ⁷⁰ of the project with other relevant projects in relation | <p>Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], sections 14.9-14.11. An assessment of the cumulative effects is set out in section 14.12.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁷⁰ It may not always be appropriate to share the detailed bases of defence asset assessments on security grounds, to avoid exposing vulnerabilities that could be exploited by potential adversaries.

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| | | | | | to aviation, meteorological and defence. | |
| | | | | 5.5.41 | <p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> • Bird Strike Risk – Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary)⁷¹ • Building Induced Turbulence – If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure. • Thermal Plume Turbulence – This is caused under certain conditions by the release of hot | <p>The Proposed Development will not include development close to aerodromes.</p> <p>Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], sections 14.9-14.11. As part of the Rampion 2 design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on civil and military aviation. These are set out within table 14-10.</p> <p>Rampion 2 WTGs are likely to cause interference on the Pease Pottage en route radar facility. However, consultation with the radar operator is ongoing to agree a mitigation solution which will make the impact Not Significant. The maximum Rampion 2 WTG blade tip height may infringe the minimum obstacle clearance requirements of Shoreham Airport's published Instrument Flight Procedures. These procedures are used by aircraft to make safe approaches to the Airport. An assessment and revision of the procedures will make the impact Not Significant.</p> |

⁷¹ 3 CAP 772 Wildlife Hazard Management at Aerodromes

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| | | | | | air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft. | |
| | 5.4.13 | If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the relevant aviation and defence consultees are informed as soon as reasonably possible | | 5.5.42 | If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible. | <p>Considerable stakeholder engagement has been undertaken for the Proposed Development in relation to civil and military aviation. Further information regarding the stakeholders consulted and the responses received is set out within section 14.3 of Volume 2, Chapter 14 of the ES: Civil and military aviation [APP-055].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| IPC decision making | 5.4.14 | The IPC should be satisfied that the effects on civil and military aerodromes, aviation technical sites and other defence assets have been addressed by the applicant and that any necessary assessment of the proposal on aviation or defence interests has been carried out. In particular, it should be satisfied that the proposal has been designed to minimise adverse impacts on the operation and safety of aerodromes and that reasonable mitigation is carried out. It may also be appropriate to expect operators of the aerodrome to consider making reasonable changes to operational procedures. When assessing the necessity, acceptability and reasonableness of operational changes to aerodromes, the IPC should satisfy itself that it has the necessary information regarding the operational procedures along with any demonstrable risks or harm of | Secretary of State decision making | 5.5.49 | <p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets or operations have been addressed by the applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p> | <p>Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], Sections 14.9-14.11. As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on civil and military aviation. These are set out within Table 14-10.</p> <p>WTGs are likely to cause interference on the Pease Pottage en route radar facility. However, consultation with the radar operator is ongoing to agree a mitigation solution which will make the impact Not Significant.</p> <p>The maximum WTG blade tip height may infringe the minimum obstacle clearance requirements of Shoreham Airport's published Instrument Flight Procedures. These procedures are used by aircraft to make safe approaches to the Airport. An assessment and revision of the procedures will make the impact Not Significant.</p> |

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| | | such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the IPC should have regard to interests of defence and national security. | | | When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security. | Overall, and with the mitigation measures proposed, the ES concludes that the Proposed Development will not result in significant effects on civil and military aviation and defence interests. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | | 5.5.52 | In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised. | As outlined in ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] , through stakeholder engagement, it has been agreed with the Planning Inspectorate that significant effects on Met Office radar systems are unlikely to occur. This is because the nearest Met Office radar systems are located at c.85km from the proposed Development. |
| | 5.4.15 | If there are conflicts between the Government's energy and transport policies and military interests in relation to the application, the IPC should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible. | | 5.5.53 | If there are conflicts between the government's energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK's energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service. | Considerable stakeholder engagement has been undertaken for the Proposed Development in relation to civil and military aviation. Further information regarding the stakeholders consulted and the responses received is set out within Section 14.3 of Volume 2, Chapter 14 of the ES: Civil and military aviation [APP-055] . The MoD have confirmed that the Proposed Development will have no impact on military Air Traffic Control or Air Defence radars. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | 5.4.16 | There are statutory requirements concerning lighting to tall structures ⁷² . Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the IPC should satisfy itself of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration. | | 5.5.54 – 5.5.55 | There are statutory requirements concerning lighting to tall structures. ⁷³ Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration. Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes. | <p>Paragraphs 14.7.9-14.7.16 of ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] discusses marking and lighting requirements. In addition, the effects of aviation lighting are considered as an inter-related effect in Chapter 13: Shipping and navigation, Volume 2 of the ES [APP-054] and Chapter 15: Seascape, landscape and visual impacts, Volume 2 of the ES [APP-056]. Several embedded environmental measures are proposed in order to reduce any lighting impacts on ecology (see Commitments Register [REP1-015] e.g. C-105).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.4.17 | Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the IPC considers that : <ul style="list-style-type: none"> • a development would prevent a licensed aerodrome from maintaining its licence; • the benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs, taking into account the relevant importance and need for such aviation infrastructure; or | | 5.5.59 | Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> • a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs | <p>The assessment of civil and military aviation and infrastructure is provided in ES Chapter 14: Civil and military aviation, Volume 2 [APP-055]. Overall, the ES concludes that the Proposed Development will not result in significant effects on civil and military aviation and defence interests.</p> <p>The Applicant therefore considers it to be in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁷² Articles 219 and 220. Air Navigation Order 2009

⁷³ Articles 222 and 223. Air Navigation Order 2016.

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| | | <ul style="list-style-type: none"> the development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training; the development would have an impact on the safe and efficient provision of en route air traffic control services for civil aviation, in particular through an adverse effect on the infrastructure required to support communications, navigation or surveillance systems; | | | <ul style="list-style-type: none"> it would cause harm to aerodromes' training or emergency service needs the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UK's flood agencies | |
| Mitigation | 5.4.18 | Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation or defence assets and or significantly limit military training, the IPC may consider the use of 'Grampian' ⁷⁴ , or other forms of condition which relate to the use of future technological solutions, to mitigate impacts. Where technological solutions have not yet been developed or proven, the IPC will need to consider the likelihood of a solution becoming available within the time limit for implementation of the development consent. In this context, where new technologies to | Secretary of State decision making | 5.5.56 – 5.5.58 | Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from existing and future including the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for | See response to 5.4.14 (to 5.5.42 of NPS EN-1 2024). Suitable technological solutions are available. The Applicant therefore considers it to be in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |

⁷⁴ A negative condition that prevents the start of a development until specific actions, mitigation or other development have been completed

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| | | mitigate the adverse effects of wind farms on radar are concerned, the IPC should have regard to any Government guidance which emerges from the joint Government/Industry Aviation Plan | | | implementation of the Development Consent Order. Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of 'Grampian conditions' , or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment. | |
| | | | | 5.5.60 | Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they do, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted. | There are no unacceptable risks to or interference with defence interests as assessed in ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] . The Applicant therefore considers the Proposed Development to be in accordance with this paragraph of 2024 NPS EN-1. |
| | | | Mitigation | 5.5.43 | The applicant should include appropriate mitigation measures as an integral part of the proposed development. | Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] , sections 14.9-14.11. As part of the Rampion 2 design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on civil and military aviation. These are set out within table 14-10 . Rampion 2 WTGs are likely to cause interference on the Pease Pottage en route radar facility. However, consultation with the radar |

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| | | | | | | operator is ongoing to agree a mitigation solution which will make the impact Not Significant. The maximum Rampion 2 WTG blade tip height may infringe the minimum obstacle clearance requirements of Shoreham Airport's published Instrument Flight Procedures. These procedures are used by aircraft to make safe approaches to the Airport. An assessment and revision of the procedures will make the impact Not Significant. Overall, and with the mitigation measures proposed, the ES concludes that the Proposed Development will not result in significant effects on civil and military aviation and defence interests |
| | 5.4.19 | Mitigation for infringement of OLS may include ⁷⁵ <ul style="list-style-type: none"> amendments to layout or scale of infrastructure to reduce the height, provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the proposed energy infrastructure; changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome); and installation of obstacle lighting and/or by notification in | Mitigation | 5.5.44 | Mitigation for infringement of OLS may include ⁷⁶ : <ul style="list-style-type: none"> agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome. Applicants should engage airport operators at an early stage of the planning process to understand the potential impacts of development on aviation operations and develop mitigations if appropriate ; or installation of obstacle lighting and/or by notification in Aeronautical Information Service publications. | Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] , Sections 14.9-14.11. As part of the design process for the Proposed Development, a range of embedded environmental measures have been adopted in relation to the infringement of OLS. These are set out within Table 14-10 of ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] and include notification to aviation stakeholders (C-109), and a lighting scheme for the aviation lighting of structures (turbines and offshore support platforms) above 60m in height to be agreed with the relevant authorities (C-110). Further detail on the environmental measures in Table 14-10 is provided in the Commitments Register [REP1-015] which sets out how and where particular environmental measures will be implemented and secured. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

⁷⁵ Where mitigation is required using a condition or planning obligation, the tests set out at paragraphs 4.1.7 – 4.1.8 in EN-1 should be applied

⁷⁶ Where mitigation is required using a condition or planning obligation, the tests set out at paragraphs 4.1.5 – 4.1.7 in EN-1 should be applied.

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| | | Aeronautical Information Service publications | | | | |
| | 5.4.20 | For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: <ul style="list-style-type: none"> lighting; operational airspace changes; and upgrading of existing CNS infrastructure, the cost of which the applicant may reasonably be required to contribute in part or in full. | | 5.5.45 | For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: <ul style="list-style-type: none"> operational airspace changes agreement to upgrade CNS infrastructure, the cost of which the applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the applicant will be required to fund any future upgrade for the lifetime of the wind farm. MoD will engage early with developers to ensure that costs are reflective of their need and impacts of the energy installation on the monitoring equipment. introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades. | Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], Sections 14.9-14.11 . As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on civil and military aviation. These are set out within Table 14-10 . The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.4.21 | Mitigation for effects on radar, communications and navigational systems may include reducing the scale of a project, although in some cases it is likely to be unreasonable for the IPC to require mitigation by way of a reduction in the scale of | | 5.5.46 – 5.4.47 | Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way | Effects on civil and military aviation during the construction, operation and maintenance, and decommissioning phases are assessed and presented in the ES Chapter 14: Civil and military aviation, Volume 2 [APP-055], Sections 14.9-14.11 . |

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| | | <p>development, for example, where reducing the tip height of wind turbines in a wind farm would result in a material reduction in electricity generating capacity or operation would be severely constrained. However, there may be exceptional circumstances where a small reduction in such function will result in proportionately greater mitigation. In these cases, the IPC may consider that the benefits of the mitigation outweighs the marginal loss of function</p> | | | <p>of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> | <p>In terms of the impact to meteorological radars, the closest Met Office radar systems are located at Thurnham in Kent and Dean Hill in Wiltshire. Both are 84km from the Proposed Development and well in excess of the 20km safeguarded zone around each radar. Met Office radars will therefore be unaffected and thus were scoped out of the EIA. This was agreed with the Planning Inspectorate.</p> <p>In relation to civil and military radars, the Proposed Development will be within the operational range of radar systems serving both civil and military agencies; however, modelling shows that WTGs within the array area of the Proposed Development will only be in Radar Line of Sight (RLoS) of the NATS (En Route) plc (NERL) Primary Surveillance Radar (PSR) facility at Pease Pottage, as detailed in Appendix 14.1: Airspace analysis and radar modelling, Volume 4 [APP-156]. The number of WTGs within RLoS of Pease Pottage PSR will depend on the maximum tip height of the individual WTGs and the detailed wind farm configuration selected.</p> <p>Appendix 14.1: Airspace analysis and radar modelling, Volume 4 of the ES [APP-156] sets out the radar modelling findings based on a supplied indicative WTG layout and concludes that mitigation measures are likely to be required for both 285m WTGs and 325m WTGs. It is anticipated that during the operational life of the Proposed Development NERL will procure “next generation” PSRs which are not anticipated to require the application of mitigation measures to allow them to provide an appropriate surveillance picture in the presence of WTGs. However, potential interim mitigation measures include blanking of the radar in the impacted area, blanking combined with infill from an alternative radar feed, or blanking combined with the imposition of a TMZ. Engagement with NERL is ongoing to determine and implement the optimal mitigation solution. Following the application of</p> |

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| | | | | | | <p>additional mitigation, the residual impact is considered to be Not Significant in EIA terms.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.5.48 | <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p> | <p>Within ES Chapter 14: Civil and military aviation, Volume 2 [APP-055] and Appendix 14.1: Airspace analysis and radar modelling, Volume 4 [APP-156], the impact of WTG's causing permanent interference on civil and military radars is considered. The Applicant considers that the potential risk posed to aviation operations can be wholly and successfully mitigated through various industry-standard technical solutions.</p> |
| 5.5 Coastal change Applicant assessment | 5.5.6 | Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures. | 5.5 Coastal change Applicant assessment | 5.6.10 | Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures. | <p>Predictions of change to physical processes that could arise from the construction, operation and maintenance, and decommissioning phases of Rampion 2 are presented in ES Chapter 6: Coastal processes, Volume 2 [APP-047]. Further information in relation to the methodology is provided in Section 6.8. A number of embedded environmental measures have been adopted to reduce the potential for impacts. These are set out within Table 6-12.</p> |
| | 5.5.7 | <p>The ES (see Section 4.2) should include an assessment of the effects on the coast. In particular, applicants should assess:</p> <ul style="list-style-type: none"> the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast; | | 5.6.11 | <p>The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular, applicants should assess:</p> <ul style="list-style-type: none"> the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse | <p>Changes to coastal processes receptors and 'pathways' (for example, elevations in Suspended Sediment Concentration (SSC), scour around foundations etc.) are the basis for the assessment in ES Chapter 6: Coastal processes, Volume 2 [APP-047]. The predicted impact of the Proposed Development on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in Sections 6.9, 6.10, and 6.11 respectively. Section 6.12 assesses the potential cumulative effects. More detailed supporting assessments are provided in ES Appendix 6.3: Coastal processes technical report: Impact assessment, Volume 4 [APP-131]. The vulnerability of the Proposed</p> |

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| | | <ul style="list-style-type: none"> the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which provide a large-scale assessment of the physical risks associated with coastal processes and present a long term policy framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner), any relevant Marine Plans, River Basin Management Plans and capital programmes for maintaining flood and coastal defenses; the effects of the proposed project on marine ecology, biodiversity and protected sites; the effects of the proposed project on maintaining coastal recreation sites and features; and the vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life and any decommissioning period. | | | <ul style="list-style-type: none"> impacts on other parts of the coast the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs)⁷⁷ (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area), any relevant Marine Plans, River Basin Management Plans, and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas the effects of the proposed project on marine ecology, biodiversity, protected sites and heritage assets how coastal change could affect flood risk management infrastructure, drainage and flood risk the effects of the proposed project on maintaining coastal recreation sites and features the vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life and any decommissioning period | <p>Development to coastal change (taking account of climate change) is also considered in these sections.</p> <p>The implications of the Proposed Development on strategies for managing the coast is considered within the nearshore area assessment, presented in ES Chapter 6: Coastal processes, Volume 2 [APP-047] Section 6.9 paragraphs 6.9.46 to 6.9.70 (for the construction phase), Section 6.10 paragraphs 6.10.34 to 6.10.37 (for the O&M phase) and Section 6.11 paragraphs 6.11.9 to 6.11.16 for the decommissioning phase).</p> <p>The effects of the Proposed Development on marine ecology, biodiversity and protected sites is set out in ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. The effects of the Proposed Development on maintaining coastal recreation sites and features is set out in ES Chapter 7: Other marine users, Volume 2 [APP-048].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁷⁷ [Shoreline management plans \(SMPs\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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| | 5.5.8 | For any projects involving dredging or disposal into the sea, the applicant should consult the Marine Management Organisation (MMO) at an early stage. Where the project has the potential to have a major impact in this respect, this is covered in the technology-specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquefied Natural Gas (LNG) tanker deliveries to LNG import facilities. | | 5.6.12 | For any projects involving dredging or deposit of any substance or object into the sea, the applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquefied Natural Gas (LNG) tanker deliveries to LNG import facilities. | <p>Site characterisation of new or existing disposal sites has been undertaken in support of the application for development consent, see Site Characterisation Report [APP-031], and identifies any requirements for a disposal site, in line with the MMO response to the Scoping Report. The effects arising from seabed preparation activities for foundations and inter-array cabling are assessed in ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> <p>As part of the construction method statement, the Applicant will produce a foundation installation methodology, including a dredging protocol, drilling methods and disposal of drill arisings and material extracted (C-279 in the Commitments Register [REP1-015] which will be secured by DCO requirement.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.9 | The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Conservation Zones, candidate marine Special Areas of Conservation (SACs), coastal SACs and candidate coastal SACs, coastal Special Protection Areas (SPAs) and potential coastal SPAs, Ramsar sites, Sites of Community Importance (SCIs) and potential SCIs and Sites of Special Scientific Interest. | | 5.6.13 | The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Protected Areas (MPAs). These could include MCZs, habitat sites including Special Areas of Conservation and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts. ⁷⁸ | <p>Designated nature conservation sites within the coastal processes study area for the Proposed Development are listed as receptors in ES Chapter 6: Coastal processes, Volume 2 [APP-047] Table 6-6 and illustrated in Figure 6.2, Volume 3 of the ES, Chapter 6: coastal processes [APP-079]. The effects are assessed for the construction, operation and maintenance, and decommissioning phases is considered in Sections 6.9, 6.10, and 6.11 respectively of ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> <p>The predicted changes to coastal processes have been considered in relation to indirect effects on other receptors elsewhere in the ES, in particular ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049], ES Chapter 9: Benthic, subtidal and intertidal ecology,</p> |

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| | | | | | | <p>Volume 2 [APP-050], and Chapter 11: Marine mammals, Volume 2 [APP-052].</p> |
| | | | | | | <p>ES Chapter 15 Seascape, landscape, and visual impact assessment, Volume 2 [APP-056] Section 15.9 to 15.14 consider the effects of Rampion 2 on the Sussex Heritage Coast section of the SDNP. No measures are available to completely mitigate the significant effects on views from coastal settlements, the SDNP and Heritage Coast; however, measures are embedded as part of the Rampion 2 design to avoid, minimise or reduce any significant environmental effects on seascape, landscape and visual receptors, as far as possible. The reductions of the proposed Order Limits increase the distance of the WTGs and limit the horizontal degree of view of WTGs from the SDNP and Sussex Heritage Coast, thereby demonstrating good design through accordance with the intentions of the Rampion 1 design plan and provide embedded environmental measures in respect of effects on the special qualities of national landscape designations.</p> |
| | | | | | | <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| IPC decision making | 5.5.10 | The IPC should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period. | | 5.6.14 | Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks. | <p>The predicted impact of the Proposed Development on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in Sections 6.9, 6.10, and 6.11 of ES Chapter 6: Coastal processes, Volume 2 [APP-047] respectively. Section 6.12 assesses the potential cumulative effects. More detailed supporting assessments are provided in ES Appendix 6.3: Coastal processes technical report: Impact assessment, Volume 4 [APP-131]. The vulnerability of the Proposed Development to coastal change (taking account of climate change) is also considered in these sections.</p> |

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| | | | | | | <p>The vulnerability of Rampion 2 to coastal change (taking account of climate change) is also considered in these sections.</p> <p>Embedded mitigation measures for the project are listed in Table 6-12 of ES Chapter 6 Coastal processes, Volume 2 [APP-047].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.11 | The IPC should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward consent should only be granted where the IPC is satisfied that the benefits (including need) of the development outweigh the adverse impacts. | Secretary of State decision making | 5.6.16 - 5.6.17 | <p>The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period. Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure. The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.</p> | <p>The predicted impact of Rampion 2 on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in Sections 6.9, 6.10, and 6.11 respectively. Section 6.12 assesses the potential cumulative effects. More detailed supporting assessments are provided in ES Appendix 6.3: Coastal processes technical report: Impact assessment, Volume 4 [APP-131]. The vulnerability of Rampion 2 to coastal change (taking account of climate change) is also considered in these sections.</p> <p>Local and regional coastal morphology is defined as a coastal process receptor in ES Chapter 6: Coastal processes, Volume 2 [APP-047] Table 6-6. The assessment considers the nature of ongoing shoreline change at the nearshore area and the potential for cables and other project infrastructure to impact coastal processes for the construction, operation and maintenance, and decommissioning phases in Sections 6.9, 6.10, and 6.11 respectively of ES Chapter 6 Coastal processes, Volume 2 [APP-047]. No significant effects are assessed.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.12 | The IPC should ensure that applicants have restoration plans for areas of foreshore disturbed by direct | | 5.6.18 | The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by | The proposed method for cable landfall is to bury the cables beneath Climping beach using HDD techniques (C-43 in the Commitments Register |

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| | | works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration. | | | direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration. | <p>[REP1-015]) with the measures secured through implementation of the project Code of Construction Practice developed in accordance with the Outline COCP [PEPD-033] along with the DCO requirement and DML condition. ES Chapter ES Chapter 6 Coastal processes, Volume 2 [APP-047] outlines that by avoiding any direct disturbance to the coastline surface structure or morphology, and due to the absence of any infrastructure at or near the surface, this method means that, unless the cable becomes exposed (during natural sediment transport processes), there is unlikely to be interaction with or therefore impact upon coastal processes.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.13 | The IPC should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e. coast on site, and site on coast. | | 5.6.19 | The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e. coast on site, and site on coast. | <p>ES Chapter 6 Coastal processes, Volume 2 [APP-047] and Appendix 6.1 Coastal processes technical report Baseline description [APP-129] outlines the baseline receiving environment. The predicted impact of the Proposed Development on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in Sections 6.9, 6.10, and 6.11 respectively of ES Chapter 6: Coastal processes, Volume 2 [APP-047]. The ES chapter concludes that there will be no significant effects as a result of the Proposed Development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.14 | The IPC should consult the MMO on projects which could impact on coastal change, since the MMO may also be involved in considering other projects which may have related coastal impacts. | | 5.6.20 | The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects | <p>Consultation on the approach to the assessment for coastal processes set out in ES Chapter 6: Coastal processes, Volume 2 [APP-047] has been informed by dialogue with the EA, MMO, Natural England and Centre for Environment, Fisheries and Aquaculture Science (Cefas). Details of the issues raised and responses to</p> |

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| | | | | | which may have related coastal impacts. | consultation are provided in Table 6-5 . The ES chapter concludes that there will be no significant effects as a result of Rampion 2. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.5.15 | In addition to this NPS the IPC must have regard to the appropriate marine policy documents, as provided for in the Marine and Coastal Access Act 2009. The IPC may also have regard to any relevant SMPs. | | 5.6.21 | In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area. | The assessment in ES Chapter 6: Coastal processes, Volume 2 [APP-047] has had regard to the South Inshore and South Offshore Marine Plan (July 2018) (see Table 6.3). Potential impacts on the coastline in the south marine plan area are described for the construction, operation and maintenance, and decommissioning phases in Sections 6.9, 6.10, and 6.11 respectively of ES Chapter 6: Coastal processes, Volume 2 [APP-047] . The ES chapter concludes that there will be no significant effects as a result of the Proposed Development. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | | 5.6.22 | The Secretary of State should also have regard to any relevant Shoreline Management Plans ⁷⁹ | The assessment in ES Chapter 6 Coastal processes, Volume 2 [APP-047] takes into account the Shoreline Management Plan (SMP). The Proposed Development landfall is located at Climping within SMP Beachy Head to Selsey Bill (Defra, 2006 and updates) Policy Unit 4D20 (Littlehampton to Poole Place) with the EA being responsible for coastal management along this section of coastline. The ES Chapter notes that the original SMP policy was for 'Managed Realignment' but this has now evolved to 'Withdraw Management' and more recently, 'Do Minimum', and there is currently ongoing discussion regarding the most appropriate management policy for this stretch of coast. |

⁷⁹ Shoreline management plans are developed by Coastal Groups with members mainly from local councils and the Environment Agency. They identify the most sustainable approach to managing the flood and coastal erosion risks to the coastline in the short term (0 to 20 years), medium term (20 to 50 years) and the long term (50 to 100 years). The Shoreline Management Plan is available online at: <https://www.gov.uk/government/publications/shoreline-management-plans-smps>

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| | 5.5.16 | Substantial weight should be attached to the risks of flooding and coastal erosion. The applicant must demonstrate that full account has been taken of the policy on assessment and mitigation in Section 4.22 of this NPS, taking account of the potential effects of climate change on these risks as discussed above. | | 5.6.23 | Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that the applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks. | <p>See response to 5.5.10 of 2011 NPS EN-1 (5.6.14 and 5.6.16 of 2024 EN-1).</p> <p>Additionally, the ES includes a Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] which concludes that there will be no adverse effects on flood risk receptors along the onshore cable route and construction of the onshore substation. All flood risks associated with the construction, and operation and maintenance of the onshore cable corridor and onshore substation have all been considered.</p> <p>The FRA considers potential sources of flood risk on the onshore elements of the Proposed Development from tidal, fluvial, surface water, groundwater, sewers and artificial sources. It also considers any potential impacts on flood risk exerted by the onshore elements of the Proposed Development towards other receptors. Additionally, it includes a coastal change vulnerability assessment for the 'onshore' elements of the Proposed Development (landward of the mean high-water springs (MHWS)). Throughout, the FRA considers the influence of climate change pressures.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.5.17 | Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case the IPC should consider what appropriate mitigation requirements might be attached Withdrawn to any grant of development consent. | Mitigation | 5.6.15 | Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent. | ES Chapter 6: Coastal processes, Volume 2 [APP-047] provides a detailed account of consultation undertaken to inform the assessment and mitigation of potential physical changes to the coast. For coastal processes, engagement has been undertaken via the EPP Coastal Processes, Water Quality, Benthic Ecology and Fish Ecology Expert Topic Group (ETG). Further information is provided in the Evidence Plan [APP-243 - 253] . The embedded mitigation measures to address physical coastal changes are listed in Table 6-12 of ES Chapter 6: Coastal processes, Volume 2 (Document |

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| | | | | | | <p>Reference: 6.2.6) [APP-047] and secured in the Draft DCO [PEPD-009], which includes the Deemed Marine Licences (DML) conditions, with detail set out in the Commitments Register [REP1-015].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| <p>5.6 Dust, odour, artificial light, smoke, steam and insect infestation Introduction</p> | <p>5.6.2 5.6.3</p> | <p>– Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.14, it is important that the potential for these impacts is considered by the IPC.</p> <p>For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.</p> | <p>5.7 Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</p> | <p>5.7.3 - 5.7-4</p> | <p>Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State. For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.</p> | <p>ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] has assessed the dust and impacts of the Proposed Development. Measures have been incorporated into the design of the Proposed Development to minimise dust impacts to be secured through the Outline CoCP [PEPD-033] (which supersedes APP-224). ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] also assesses potential for odour impacts. Embedded environmental measures have been incorporated into the design of the Proposed Development including seeking to avoid areas of historic and authorised landfills and other contamination where possible to reduce risk of odour impacts, to be secured through the Outline CoCP [PEPD-033]. There are no significant effects.</p> <p>With regards to artificial light, ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] assesses the effects on dark night skies from night time light of the WTGs, in relation to the SDNP special quality 3 ‘tranquil and unspoilt places’. The effects are assessed as not significant. With regards to onshore elements of the Proposed Development, the effects of lighting have been assessed in ES Appendix 18.2: Viewpoint analysis, Volume 4 [APP-168] and Appendix 18.4: Visual assessment, Volume 4 (Document Reference: 6.4.18.4) [APP-170] within the overall envelope of landscape and visual assessment set out in ES Chapter 18: Landscape and visual impact, Volume 2 [APP-059]. Where required, construction lighting</p> |

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| | | | | | | <p>will be limited to directional task lighting positioned to minimise glare and nuisance to residents and recreational receptors, secured through DCO requirements (C-200 in the Commitments Register [REP1-015]). Construction lighting will be avoided where possible, with work scheduled during daylight hours. Lighting during onshore operation and maintenance activities is expected to be minimal. Lighting design of all temporary and permanent lighting will be developed once contractor(s) are appointed (C-105 in the Commitments Register [APP-254]). Details regarding lighting design during the construction phase will be provided by the Contractor(s) in the stage specific detailed CoCP to be prepared in accordance with the Outline CoCP [PEPD-033].</p> <p>The Proposed Development would not give rise to emissions of steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Applicant's assessment | 5.6.4 | The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the Environmental Statement. | Applicant assessment | 5.7.5 | The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES. | <p>See response to 5.6.2 – 5.6.3 of 2011 NPS EN-1 and paragraphs 5.7.3 - 5.7-4 of 2024 NPS EN-1 above.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.6.5 | <p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> the type, quantity and timing of emissions; aspects of the development which may give rise to emissions; | | 5.7.6 | <p>In particular, the assessment provided by the applicant should describe:</p> <ul style="list-style-type: none"> the type, quantity and timing of emissions aspects of the development which may give rise to emissions premises or locations that may be affected by the emissions | <p>ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] has assessed the dust and impacts of the Proposed Development. Measures have been incorporated into the design of the Proposed Development to minimise dust impacts to be secured through the Outline CoCP [PEPD-033] (which supersedes APP-224). The ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] also assesses</p> |

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| | | <ul style="list-style-type: none"> premises or locations that may be affected by the emissions; effects of the emission on identified premises or locations; and measures to be employed in preventing or mitigating the emissions. | | | <ul style="list-style-type: none"> effects of the emission on identified premises or locations measures to be employed in preventing or mitigating the emissions | <p>potential for odour impacts. Embedded environmental measures have been incorporated into the design of the Proposed Development including seeking to avoid areas of historic and authorised landfills and other contamination where possible to reduce risk of odour impacts, to be secured through the Outline CoCP [PEPD-033]. There are no significant effects. With regards to artificial light, ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] assesses the effects on dark night skies from night time light of the WTGs, in relation to the SDNP special quality 3 'tranquil and unspoilt places'. The effects are assessed as not significant.</p> <p>With regards to onshore elements of the Proposed Development, the effects of lighting have been assessed in ES Appendix 18.2: Viewpoint analysis, Volume 4 [APP-168] and Appendix 18.4: Visual assessment, Volume 4 [APP-170] within the overall envelope of landscape and visual assessment set out in ES Chapter 18: Landscape and visual impact, Volume 2 [APP-059]. Where required, construction lighting will be limited to directional task lighting positioned to minimise glare and nuisance to residents and recreational receptors, secured through DCO requirements (C-200 in the Commitments Register [REP1-015]). Construction lighting will be avoided where possible, with work scheduled during daylight hours. Lighting during onshore operation and maintenance activities is expected to be minimal. Lighting design of all temporary and permanent lighting will be developed once contractor(s) are appointed (C-105 in the Commitments Register [APP-254]). Details regarding lighting design during the construction phase will be provided by the Contractor(s) in the stage specific detailed CoCP to be prepared in accordance with the Outline CoCP [PEPD-033].</p> <p>The Proposed Development would not give rise to emissions of steam or smoke or have the</p> |

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| | | | | | | <p>potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.6.6 | The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment. | | 5.7.7 | The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment. | <p>The Applicant consulted with the relevant local planning authorities (Arun District Council (ADC), Horsham District Council (HDC), Mid Sussex District Council (MSDC), South Downs National Park (SDNPA), West Sussex County Council (WSSC) on the scope and methodology used in the assessment. The Applicant has consulted with EA throughout the EIA assessment process as demonstrated in the Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| IPC decision making | 5.6.7 | <p>The IPC should satisfy itself that:</p> <ul style="list-style-type: none"> an assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out; and that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts. | | 5.7.12 | <p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> an assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts | <p>A summary of the assessment as to whether the Proposed Developments engages a statutory nuisance is outlined in the Statutory Nuisance Statement [APP-032]. The list of statutory nuisances set out in section 79(1) of the Environmental Protection Act (EPA) 1990 include noise, artificial light, smoke, fumes or gases, dust, steam, smell or other effluvia or insects emanating from relevant premises. The Statutory Nuisance Statement [APP-032] has been developed alongside the EIA process and includes those measures derived from the assessment process and industry best practice, whether these are embedded within the design or secured through requirements or obligations, or other means within the DCO such as the Outline CoCP [PEPD-033].</p> <p>The management strategies proposed are reasonable and adequate to minimise any</p> |

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| | | | | | | detrimental impacts and are adequately secured within the DCO. The Proposed Development is therefore in accordance with NPS EN-1. |
| | 5.6.8 | If the IPC does grant development consent for a project, it should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If it cannot conclude that this is justified, it should disapply in whole or in part the defence through a provision in the development consent order. | | 5.7.13 | If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the development consent order. | The DCO Application is accompanied by a Statutory Nuisance Statement [APP-032] . The Statutory Nuisance Statement identifies which of the statutory nuisances could potentially be engaged by the Proposed Development. It also includes topic specific embedded environmental measures to be implemented to avoid causing statutory nuisances. With the proposed measures in place, it is not anticipated there will be any statutory nuisance arising during construction, operation and maintenance or decommissioning activities associated with the Proposed Development. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.6.9 | Where it believes it appropriate, the IPC may consider attaching requirements to the development consent, in order to secure certain mitigation measures. | | 5.7.14 | Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures. | The draft DCO [PEPD-009] sets out the Requirements that are considered necessary, relevant to planning, and relevant to the development to be consented. This includes a range of mitigation measures (including the Outline CoCP [PEPD-033]). |
| | 5.6.10 | In particular, the IPC should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The IPC should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction | | 5.7.15 | In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the | The Outline Code of Construction Practice [PEPD-033] (which supersedes APP-224) and Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to pollution control onshore and offshore respectively. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | | management plan may help codify mitigation at that stage. | | | development. A construction management plan may help codify mitigation at that stage. | |
| | 5.6.11 | <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> • engineering: prevention of a specific emission at the point of generation; • control, containment and abatement of emissions if generated; • lay-out: adequate distance between source and sensitive receptors; • reduced transport or handling of material; and • administrative: limiting operating times; restricting activities allowed on the site; implementing management plans. | Mitigation | 5.7.8 | <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> • engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated • lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material • administrative: limiting operating times; restricting activities allowed on the site; implementing management plans | <p>ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] has assessed the dust and impacts of the Proposed Development. Measures have been incorporated into the design of the Proposed Development to minimise dust impacts to be secured through the Outline CoCP [PEPD-033] (which supersedes APP-224). The ES Chapter 19: Air quality, Volume 2 of the ES [APP-060] also assesses potential for odour impacts. Embedded environmental measures have been incorporated into the design of the Proposed Development including seeking to avoid areas of historic and authorised landfills and other contamination where possible to reduce risk of odour impacts, to be secured through the Outline CoCP [PEPD-033]. There are no significant effects.</p> <p>With regards to artificial light, ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] assesses the effects on dark night skies from night time light of the WTGs, in relation to the SDNP special quality 3 ‘tranquil and unspoilt places’. The effects are assessed as not significant. With regards to onshore elements of the Proposed Development, the effects of lighting have been assessed in ES Appendix 18.2: Viewpoint analysis, Volume 4 [APP-168] and Appendix 18.4: Visual assessment, Volume 4 [APP-170] within the overall envelope of landscape and visual assessment set out in ES Chapter 18: Landscape and visual impact, Volume 2 [APP-059]. Where required, construction lighting will be limited to directional task lighting positioned to minimise glare and nuisance to residents and recreational receptors, secured through DCO requirements (C-200 in the Commitments Register [REP1-015]). Construction lighting will be avoided where possible, with work scheduled during daylight</p> |

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| | | | | | | <p>hours. Lighting during onshore operation and maintenance activities is expected to be minimal. Lighting design of all temporary and permanent lighting will be developed once contractor(s) are appointed (C-105 in the Commitments Register [REP1-015]). Details regarding lighting design during the construction phase will be provided by the Contractor(s) in the stage specific detailed CoCP to be prepared in accordance with the Outline CoCP [PEPD-033].</p> <p>The Proposed Development would not give rise to emissions of steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.7.9 | Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements. | <p>The Outline Code of Construction Practice (CoCP) [PEPD-033] sets out a range of measures in Table 5.10 including consolidation of deliveries and no idling of vehicles.</p> <p>Additionally, sustainable modes of travel for the construction workforce will be encouraged (C-244 in the Commitments Register [REP1-015]).</p> |
| | | | | 5.7.10 | Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. | A clear explanation of the Proposed Development presented in the ES is provided throughout this chapter (Chapter 4: The Proposed Development, Volume 2 [APP-045]). |
| | | | | 5.7.11 | A construction management plan may help clarify and secure mitigation. | <p>Embedded environmental measures to reduce the risk of effects related to emissions to air, dust and odour are outlined in Table 19-29 of ES Chapter 19 Air quality, Volume 2 [APP-060].</p> <p>Embedded measures are secured through the Outline Code of Construction Practice</p> |

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| | | | | | | (CoCP) [PEPD-033] and Outline Construction Traffic Management Plan (CTMP) [APP-228]. |
| | | | 5.7 Flood risk | 5.8.3 | The government's Flood and Coastal Erosion Risk Management Policy Statement ⁸⁰ sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority. | The predicted impact of Rampion 2 on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in ES Chapter 6 Coastal processes, Volume 2 [APP-047] . This has taken into account the government's Flood and Coastal Erosion Risk Management Policy Statement. |
| | | | | 5.8.5 | Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 ⁸¹ show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; the applicant and the Secretary of State should take account of the policy | UK Climate Projections 2018 (UKCP18) have been used in the CCR assessment set out in ES Chapter 29 Climate Change, Volume 2 [APP-070] . ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements. |

⁸⁰ [Flood and coastal erosion risk management policy statement: progress update 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69257/pb13274)

⁸¹ assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/69257/pb13274

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| | | | | | on climate change adaptation in Section 4.10. | |
| 5.7 Flood risk Applicant's assessment | 5.7.4 | Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales ⁸² and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1 hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account | 5.7 Flood risk Applicant assessment | 5.8.13 – 5.8.14 | <p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future • land that may be subject to other sources of flooding (for example surface water) • where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p> | <p>The ES includes a Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] which concludes that there will be no adverse effects on flood risk receptors along the onshore cable route and construction of the onshore substation. All flood risks associated with the construction, and operation and maintenance of the onshore cable corridor and onshore substation have all been considered.</p> <p>The FRA considers potential sources of flood risk on the onshore elements of the Proposed Development from tidal, fluvial, surface water, groundwater, sewers and artificial sources. It also considers any potential impacts on flood risk exerted by the onshore elements of the Proposed Development towards other receptors. Additionally, it includes a coastal change vulnerability assessment for the 'onshore' elements of the Proposed Development (landward of the mean high water springs (MHWS)). Throughout, the FRA considers the influence of climate change pressures.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.7.5 | <p>The minimum requirements for FRAs are that they should:</p> <ul style="list-style-type: none"> • be proportionate to the risk and appropriate to the scale, nature and • location of the project; | | 5.8.15 | <p>The minimum requirements for Flood Risk Assessments (FRA) are that they should:</p> <ul style="list-style-type: none"> • be proportionate to the risk and appropriate to the scale, nature and location of the project; • consider the risk of flooding arising from the project in | <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] meets the requirements in paragraph 5.7.5. Table 2-1 of the FRA [APP-216] sets out the minimum requirements, together with the location in which they are addressed in the FRA.</p> |

⁸² The Flood Zones refer to the probability of flooding from rivers, the sea and tidal sources and ignore the presence of existing defences, because these can be breached, overtopped and may not be in existence for the lifetime of the project. The definition of Flood Zones can be found in PPS25 (in England), TAN 15 (in Wales), or their relevant successor documents.

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| | | <ul style="list-style-type: none"> consider the risk of flooding arising from the project in addition to the risk of flooding to the project; take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; be undertaken by competent people, as early as possible in the process of preparing the proposal; consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure; consider the vulnerability of those using the site, including arrangements for safe access; consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made; | | | <p>addition to the risk of flooding to the project;</p> <ul style="list-style-type: none"> take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made⁸³ be undertaken by competent people, as early as possible in the process of preparing the proposal; consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance; consider the vulnerability of those using the site, including arrangements for safe access and escape; consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration; identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as | <p>With due consideration of the temporary nature of much of the Proposed Development, which is only required during construction of the onshore cable corridor, the approach taken in the FRA is considered to be proportionate to the risk and appropriate to the scale, nature and location of the Proposed Development.</p> <p>Additionally, an Outline Operational Drainage Plan [APP-223] has been prepared to provide the outline proposals for drainage required for the operations of the relevant onshore elements of the Proposed Development. This plan covers the proposed onshore substation at Oakendene and the National Grid Bolney substation extension. The Outline Operational Drainage Plan includes information on the drainage system requirements and results of surface water modelling. It also includes details on the proposed surface water and foul water drainage solutions at each site.</p> <p>A detailed Operational Drainage Plan will be produced following the grant of the DCO and prior to the construction of these works that will be produced in accordance with the Outline Operational Drainage Plan [APP-223].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁸³ 8 Refer to Flood risk assessments: climate change allowances -

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| | | <ul style="list-style-type: none"> • consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; • include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; • consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems; • consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and • be supported by appropriate data and information, including historical information on previous events. | | | <p>part of an integrated approach to flood risk management;</p> <ul style="list-style-type: none"> • consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; • include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding; • consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include: <ol style="list-style-type: none"> I. Describe the existing surface water drainage arrangements for the site ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. II. Detail the proposals for restricting discharge rates III. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If | |

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| | | | | | <p>sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate.</p> <p>IV. Demonstrate how the hierarchy of drainage options has been followed.⁸⁴</p> <p>V. Explain and justify why the types of SuDS⁸⁵ and method of discharge have been selected and why they are considered appropriate.</p> <p>VI. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site.</p> <p>VII. Describe the multifunctional benefits the sustainable drainage system will provide viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system</p> <p>VIII. Explain how run-off from the completed development will be</p> | |

⁸⁴ Refer to Planning Practice Guidance Sustainable Drainage Systems section – See <https://www.gov.uk/guidance/flood-risk-and-coastal-change#sustainable-drainage-systems>

⁸⁵ [Sustainable drainage systems: non-statutory technical standards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/sustainable-drainage-systems-non-statutory-technical-standards)

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| | | | | | <p>prevented from causing an impact elsewhere</p> <p>IX. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development.</p> <ul style="list-style-type: none"> • detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere • identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and <p>be supported by appropriate data and information, including historical information on previous events.</p> | |
| | 5.7.6 | Further guidance can be found in the Practice Guide which accompanies Planning Policy Statement 25 (PPS25), TAN15 for Wales or successor documents | | 5.8.16 | Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section ⁸⁶ which accompanies the NPPF ⁸⁷ , TAN15 for Wales ⁸⁸ or successor documents. | <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] makes reference to the NPPF and associated Planning Practice Guidance where relevant for additional guidance regarding flood risk and development, as appropriate.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

⁸⁶ [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flood-risk-assessments-climate-change-allowances)

⁸⁷ [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/national-planning-policy-framework)

⁸⁸ <https://gov.wales/technical-advice-note-tan-15-development-and-flood-risk-2004>

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| | | | | 5.8.17 | <p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> • Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary • Their standard of protection is not reduced • Their condition or structural integrity is not reduced | <p>The presence of flood defence structures along the coastal frontage at Climping and along the banks of Rivers Arun and Adur have been taken into account during the design evolution of the Proposed Development via the selection of trenchless crossing methodologies and standoff distances within the outline design.</p> <p>An embedded environmental measure has also been put forward (C-17 in the Commitments Register [REP1-015]) for any temporary construction works to be carried out in accordance with the relevant permitting regime to ensure that the condition or structural integrity of these structures are not adversely impacted by the Proposed Development. Appropriate permits or consents will be applied for from the EA or Lead Local Flood Authority (LLFA) as relevant (see Other Consents and Licences [APP-033]).</p> |
| | 5.7.7 | Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the IPC to reach a decision on the application when it is submitted. The IPC should advise applicants to undertake these steps where they appear necessary, but have not yet been addressed. | | 5.8.18 – 5.8.19 | <p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners²²⁴ and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> | <p>Discussions have been held with the EA and Lead Local Flood Authorities (LLFAs) at the Scoping, Preliminary Environmental Information Report (PEIR) and ES stages of the assessment. Consultation has been undertaken through the Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]). The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] has been informed by consultation with key stakeholders, including the EA, and West Sussex County Council (the LLFA).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | 5.7.8 | If the EA has concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns. | | 5.8.20 | If the EA, NRW or another flood risk management authority ⁸⁹ has reasonable concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the authority's concerns. | <p>Consultation and engagement with key stakeholders, including the Environment Agency, and West Sussex County Council (the Lead Local Flood Authority) has also informed the development of the FRA Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.8.21 – 5.8.22 | <p>The Sequential Test⁹⁰ ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> | <p>The FRA presents information on the Sequential Test undertaken for Rampion 2 at Section 9.1 of the Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216], outlining the consideration of alternatives. The FRA considers that the Sequential Test is passed as the flood resilient nature of the onshore elements of the Proposed Development, with respect to Section 6.2; and wherever possible, the Proposed Development and associated temporary infrastructure has been sited in areas of lower flood risk, with full consideration of lower risk options before the development proposals were finalised.</p> |

⁸⁹ [Flood and coastal erosion: risk management authorities - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flood-and-coastal-erosion-risk-management-authorities)

⁹⁰ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flood-risk-and-coastal-change)

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| | | | | 5.8.23 | Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site. | The FRA presents information on the Sequential Test undertaken for Rampion 2 at Section 9.1 of the Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216] , outlining the consideration of alternatives. |
| IPC decision making | 5.7.9 | In determining an application for development consent, the IPC should be satisfied that where relevant: <ul style="list-style-type: none"> the application is supported by an appropriate FRA; the Sequential Test has been applied as part of site selection; a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; the proposal is in line with any relevant national and local flood risk management strategy⁹¹; priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and in flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development. | Secretary of State decision making | 5.8.36 | In determining an application for development consent, the Secretary of State should be satisfied that where relevant: <ul style="list-style-type: none"> the application is supported by an appropriate FRA the Sequential Test has been applied and satisfied as part of site selection a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk the proposal is in line with any relevant national and local flood risk management strategy⁹² SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate <p>in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42)</p> | <p>The ES includes a Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] which concludes that there will be no adverse effects on flood risk receptors along the onshore cable route and construction of the onshore substation. All flood risks associated with the construction, and operation and maintenance of the onshore cable corridor and onshore substation have all been considered.</p> <p>With consideration of the temporary nature of many of the onshore elements of the Proposed Development, the approach undertaken in this FRA is proportionate to the risk and appropriate to the scale, nature and location of the Proposed Development.</p> <p>The FRA considers potential sources of flood risk on the onshore elements of the Proposed Development from tidal, fluvial, surface water, groundwater, sewers and artificial sources. It also considers any potential impacts on flood risk exerted by the onshore elements of the Proposed Development towards other receptors.</p> <p>The FRA considers that the Sequential Test is passed due to:</p> <ul style="list-style-type: none"> the flood resilient nature of the onshore elements of the Proposed Development; Wherever possible, the Proposed Development and associated temporary infrastructure has been sited in areas of lower flood risk, with full consideration of |

⁹¹ As provided for in section 9(1) of the Flood and Water Management Act 2010.

⁹² As provided for in section 9(1) of the Flood and Water Management Act 2010.

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| | | | | | <ul style="list-style-type: none"> the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance | <p>lower risk options before the development proposals were finalised.</p> <p>An Outline Operational Drainage Plan [APP-223] is included in the DCO Application which identifies the principles of sustainable drainage and demonstrates how attenuation storage can be accommodated as part of the indicative substation layout and landscaping for the onshore substation and the extension works at the National Grid Bolney substation. The detailed design will be undertaken in accordance with this document and provided for approval to the relevant authority.</p> <p>Drainage design will follow the SuDs hierarchy with preference being given to local infiltration of surface water run-off from new areas of hardstanding, where possible, and appropriate mitigation has been embedded into the design to ensure maintenance of the hydrological regime, by minimising changes to flow rates and pathways and changes to water quality.</p> <p>Emergency Response Plan(s) for Flood Events will be prepared for all working areas located in Flood Zones 2 and 3. The Emergency Response Plan for Flood Events is secured through DCO Requirement 23 via the Outline Code of Construction Practice (CoCP) [PEPD-033].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.7.10 | For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the IPC. The IPC will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the | | 5.8.37 – 5.8.39 | For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National | <p>The Outline Operational Drainage Plan [APP-223] identifies the SuDS system will require maintenance to ensure continued functionality of the SuDS system, in accordance with best practice (for example, the CIRIA SuDS manual, 2015).</p> <p>It will be the responsibility of National Grid as the substation operator for maintenance of the SuDS and landscaped areas associated with the</p> |

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| | | Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The IPC should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body, such as an Internal Drainage Board. | | | Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the Development Consent Order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted. Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board. | extension of the National Grid Bolney substation. With regards to the onshore substation at Oakendene, near Cowfold, the maintenance responsibility will be held by the substation operator. Options for long-term maintenance will be considered further post-granting of DCO consent and secured through the DCO requirement for the ODP. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.7.11 | If the EA continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the IPC can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the EA to try to resolve the concerns. | | 5.8.40 | If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the authority to try to resolve the concerns. | Discussions have been held with the EA and Lead Local Flood Authorities (LLFAs) at the Scoping, Preliminary Environmental Information Report (PEIR) and ES stages of the assessment. Consultation has been undertaken through the Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP-253]). The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] has been informed by consultation with key stakeholders, including the EA, and West Sussex County Council (the LLFA). The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | 5.7.12 | <p>The IPC should not consent development in Flood Zone 2 in England or Zone B in Wales unless it is satisfied that the sequential test requirements have been met. It should not consent development in Flood Zone 3 or Zone C unless it is satisfied that the Sequential and Exception Test requirements have been met. The technology-specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, but should apply the sequential approach to locating development within the site.</p> | | 5.8.41 | <p>Energy projects should not normally be consented within Flood Zone 3b⁹³, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> | <p>The ES includes a Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216]. This demonstrates that a sequential, risk-based approach has been taken in siting the Proposed Development to steer it to areas with the lowest risk of flooding in the first instance, taking all sources of flood risk and climate change into account.</p> <p>Within the FRA, it is concluded that the Sequential Test is passed due to:</p> <ul style="list-style-type: none"> • The flood resilient nature of the onshore elements of the Proposed Development; and • Wherever possible, the Proposed Development and associated temporary infrastructure has been sited in areas of lower flood risk, with full consideration of lower risk options before the development options were finalised. <p>Following completion of the Sequential Test the Exception Test as detailed at Section 9.2 of the FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] was undertaken for the Proposed Development. Part 1 of the Exception Test requires the Proposed Development to provide wider sustainability benefits to the community that outweigh flood risk. This will include the benefits (including need), for the Proposed Development, which are outlined in Section 9.2 of the FRA [APP-216] and within Section 4.2 of the Planning Statement [APP-036].</p> <p>Part 2 of the Exception Test requires the FRA to demonstrate that the Proposed Development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce</p> |

⁹³ The Functional Floodplain where water has to flow or be stored in times of flood.

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| The Sequential Test | 5.7.13 | Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site ⁹⁴ in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.4 above. | | | | <p>flood risk overall. This has been covered in paragraphs 9.2.9 to 9.2.1 of the Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216], which demonstrates that the development will not result in an increase in flood risk from any source of flooding. It is therefore concluded that the Exception Test is passed.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | | | <p>A sequential, risk-based approach has been taken in siting the Proposed Development. Wherever possible, the Proposed Development and associated temporary infrastructure has been sited in areas of lower flood risk, with full consideration of lower risk options before the development proposals were finalised. Section 9.2 of the Flood Risk Assessment (FRA) (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] sets out the evidence to demonstrate that the Exception Test is passed.</p> <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] that the Proposed Development is compatible with the Flood Zones without the need to pass the Exception Test, with the exception of the construction and enabling works, and the onshore cable itself. Elements of these are to be located in Flood Zones 3a and 3b, for which the Exception Test must be passed for such 'development' to be considered compatible. It is worth noting that, in this case, the proposed temporary construction works (not usually considered to be development in themselves) in Flood Zones 3a and 3b are considered to be appropriate in this case, for a number of reasons. These include the limited amount of construction infrastructure proposed in Flood</p> |

⁹⁴ When making the application, the applicant should justify with evidence what area of search has been used in examining whether there are reasonably available sites. This will allow the IPC to consider whether the Sequential Test has been met as part of site selection.

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| | | | | | | <p>Zones 3a and 3b (temporary construction haul road and trenchless crossing compounds), its short-term presence, the infrastructure itself (such as temporary construction haul roads) will be flood resilient, and flood risk management measures will be incorporated to ensure that flood risk is not increased elsewhere. Similarly, the onshore cable itself (once constructed) will be buried and entirely flood resilient, with no potential to increase flood risk elsewhere, and thus is also appropriate in this case. In addition, the temporary construction compounds (storage of materials and equipment, also includes welfare facilities and office space as appropriate), will be sited in accordance with a sequential approach to avoid areas of high risk of flooding.</p> <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] concludes that the placement of temporary construction phase infrastructure in Flood Zone 3a and 3b is consistent with Exception Test requirements, and that the Exception Test will be able to be passed for the Proposed Development.</p> |
| The Exception Test | 5.7.14 | If, following application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3 or Zone C, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur. | | 5.8.9 | If, following application of the Sequential Test ⁹⁵ , it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2 . ⁹⁶ The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available | <p>Following completion of the Sequential Test the Exception Test as detailed at Section 9.2 of the FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] was undertaken for Rampion 2. Part 1 of the Exception Test requires the Proposed Development to provide wider sustainability benefits to the community that outweigh flood risk. As stated in NPS EN-1 paragraph 5.8.11, this will include the benefits (including need), for the Proposed Development, which are outlined in Section 9.2 of the FRA [APP-216] and within Section 4.2 of the Planning Statement [APP-036].</p> |

⁹⁵ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-sequential-approach-to-the-location-of-development>

⁹⁶ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/flood-risk-and-coastal-change)

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| | | | | | | <p>Part 2 of the Exception Test requires that the FRA must demonstrate that the Proposed Development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. The FRA [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.7.15 5.7.16 | <p>– The Exception Test is only appropriate for use where the sequential test alone cannot deliver an acceptable site, taking into account the need for energy infrastructure to remain operational during floods. It may also be appropriate to use it where as a result of the alternative site(s) at lower risk of flooding being subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), Sites of Special Scientific Interest (SSSIs) and World Heritage Sites (WHS) it would not be appropriate to require the development to be located on the alternative site(s).</p> <p>All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed:</p> <ul style="list-style-type: none"> • it must be demonstrated that the project provides wider | | 5.8.10 – 5.8.11 | <p>The Exception Test⁹⁹ is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for</p> | <p>Following completion of the Sequential Test the Exception Test as detailed at Section 9.2 of the FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] was undertaken for Rampion 2. Part 1 of the Exception Test requires the Proposed Development to provide wider sustainability benefits to the community that outweigh flood risk. As stated in NPS EN-1 paragraph 5.8.11, this will include the benefits (including need), for the Proposed Development, which are outlined in Section 9.2 of the FRA [APP-216] and within Section 4.2 of the Planning Statement [APP-036].</p> <p>Part 2 of the Exception Test requires that the FRA must demonstrate that the Proposed Development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. The FRA [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements.</p> |

⁹⁹ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/flood-risk-and-coastal-change)

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| | | <p>sustainability benefits to the community ⁹⁷ that outweigh flood risk;</p> <ul style="list-style-type: none"> the project should be on developable, previously developed land ⁹⁸ or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below and, where possible, will reduce flood risk overall | | | <p>development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> the project would provide wider sustainability benefits to the community²¹⁷ that outweigh flood risk; and the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall. | <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.8.12 | <p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques.</p> | <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4 [APP-216]) concludes that the Proposed Development, with the flood risk management measures described in Table 8-1 in place, will not be subject to an unacceptable level of flood risk, nor will it increase flood risk elsewhere. It will not result in a net loss of functional floodplain storage or impede water flows.</p> |
| | 5.7.17 | <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the IPC</p> | | 5.8.42 | <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the</p> | <p>The ES includes an FRA (Appendix 26.2: Flood Risk Assessment, Volume 4 [APP-216]) which concludes that there will be no adverse effects</p> |

⁹⁷ These would include the benefits (including need), for the infrastructure set out in Part 3

⁹⁸ Previously developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. This definition includes defence buildings, but excludes (a) land that is or has been occupied by agricultural or forestry buildings (b) land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures (c) land in built up areas such as parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed (d) land that was previously developed but where the remains of the permanent surface structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).

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| | | may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the IPC should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies. | | | Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies. | on flood risk receptors along the onshore cable route and construction of the onshore substation. The FRA concludes that the Proposed Development, with the flood risk management measures described in Table 8-1 of Appendix 26.2: Flood Risk Assessment, Volume 4 [APP-216] in place, will not be subject to an unacceptable level of flood risk, nor will it increase flood risk elsewhere. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| Mitigation | 5.7.18 | To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property. | | 5.8.24 | To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property. | See responses to 2011 EN-1 paragraph 5.7.10 and 2024 NPS paragraph 5.8.37 – 5.8.39. The Proposed Development can be considered to be in accordance with these paragraphs of 2011 EN-1 and 2024 EN-1. |
| | 5.7.19 | In this NPS, the term Sustainable Drainage Systems (SuDS) refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate : <ul style="list-style-type: none"> • source control measures including rainwater recycling and drainage; • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; • filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; | | 5.8.25 | In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: <ul style="list-style-type: none"> • source control measures including rainwater recycling and drainage • infiltration devices to allow water to soak into the ground, that can include • individual soakaways and communal facilities • filter strips and swales, which are vegetated features that hold and drain water • downhill mimicking natural drainage patterns | An Outline Operational Drainage Plan [APP-223] is included in the DCO Application which identifies the principles of sustainable drainage and demonstrates how attenuation storage can be accommodated as part of the indicative substation layout and landscaping for the onshore substation and the extension works at the National Grid Bolney substation. The detailed design will be undertaken in accordance with this document and provided for approval to the relevant authority. Drainage design will follow the SuDs hierarchy with preference being given to local infiltration of surface water run-off from new areas of hardstanding, where possible, and appropriate mitigation has been embedded into the design to ensure maintenance of the hydrological regime, by minimising changes to flow rates and pathways and changes to water quality. |

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| | | <ul style="list-style-type: none"> filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed; basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding. | | | <ul style="list-style-type: none"> filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed basins, ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding | <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.7.20 5.7.22 | <p>– Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation.</p> | | 5.8.26 – 5.8.28 | <p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development’s lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary</p> | <p>See response to 5.7.19 of 2011 NPS EN-1 above.</p> <p>See response to paragraph 5.8.25 of 2024 NPS EN-1 above.</p> <p>The Proposed Development is in accordance with this paragraph.</p> |

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| | | | | | through the use of a planning obligation. | |
| | 5.7.23 | The sequential approach should be applied to the layout and design of the project. More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS. | | 5.8.29 | The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using Sud's. | <p>The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4 [APP-216]) considers that the Sequential Test is passed due to:</p> <ul style="list-style-type: none"> the flood resilient nature of the onshore elements of the Proposed Development; and wherever possible, the Proposed Development and associated temporary infrastructure has been sited in areas of lower flood risk, with full consideration of lower risk options before the development proposals were finalised. <p>An Outline Operational Drainage Plan [APP-223] is included in the DCO Application which identifies the principles of sustainable drainage and demonstrates how attenuation storage can be accommodated as part of the indicative substation layout and landscaping for the onshore substation and the extension works at the National Grid Bolney substation. The detailed design will be undertaken in accordance with this document and provided for approval to the relevant authority.</p> <p>Drainage design will follow the SuDs hierarchy with preference being given to local infiltration of surface water run-off from new areas of hardstanding, where possible, and appropriate mitigation has been embedded into the design to ensure maintenance of the hydrological regime, by minimising changes to flow rates and pathways and changes to water quality.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.8.30 – 5.8.32 | Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory | The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4 [APP-216]) concludes that the Proposed Development, with the flood risk management measures described in Table |

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| | | | | | <p>storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p> | <p>8-1 of the FRA [APP-216] in place, will not be subject to an unacceptable level of flood risk, nor will it increase flood risk elsewhere. It will not result in a net loss of functional floodplain storage or impede water flows.</p> |
| | | | | 5.8.35 | <p>Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.</p> | <p>The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works. This DAS includes the maximum parameters of the infrastructure which has informed the EIA process. The outcomes of the EIA process have informed the development of design principles which are secured in the DAS and with which the detailed design shall be in accordance. These include landscape and visual, historic environment, ecology, flood risk and drainage, climate change and ground conditions.</p> <p>Additionally, an Outline Operational Drainage Plan [APP-223] has been prepared to provide the outline proposals for drainage required for the operations of the relevant onshore elements of the Proposed Development. This plan covers the proposed onshore substation at Oakendene and the National Grid Bolney substation extension. The Outline Operational Drainage</p> |

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| | 5.7.24 | Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to flow or be stored in times of flood), or Zone C2 in Wales, should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows. | | 5.8.7 | Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood. | <p>Plan includes information on the drainage system requirements and results of surface water modelling. It also includes details on the proposed surface water and foul water drainage solutions at each site.</p> <p>A detailed Operational Drainage Plan will be produced following the grant of the DCO and prior to the construction of these works that will be produced in accordance</p> <p>Part 2 of the Exception Test requires that the Flood Risk Assessment (FRA) must demonstrate that the Proposed Development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. The FRA (Appendix 26.2: Flood Risk Assessment, Volume 4) [APP-216] demonstrates that the development will not result in an increase in flood risk from any source of flooding. This assessment also includes consideration of climate change in line with NPS requirements.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.7.25 | The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the emergency services when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA. | | 5.8.33 – 5.8.34 | The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation | <p>Emergency Response Plan(s) for Flood Events will be prepared for all working areas located in Flood Zones 2 and 3. The Emergency Response Plan for Flood Events is secured through DCO Requirement 23 via the Outline Code of Construction Practice (CoCP) [PEPD-033].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | | procedures that are required should be identified in the FRA. | |
| 5.8 Historic environment Introduction | 5.8.4 | <p>There are heritage assets with archaeological interest that are not currently designated as scheduled monuments, but which are demonstrably of equivalent significance. These include:</p> <ul style="list-style-type: none"> those that have yet to be formally assessed for designation; those that have been assessed as being designatable but which the Secretary of State has decided not to designate; and those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979. | 5.9 Historic Environment | 5.9.5 | <p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation. those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites | <p>Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] (which supersedes APP-066) considers the likely significant effects of the Proposed Development on the historic environment, including designated and non-designated heritage assets.</p> <p>Volume 2, Chapter 16 of the ES: Marine archaeology [APP-057] assesses the potential impacts on all known heritage assets and their settings within the marine archaeology study area.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.8.5 | The absence of designation for such heritage assets does not indicate lower significance. If the evidence before the IPC indicates to it that a non-designated heritage asset of the type described in 5.8.4 may be affected by the proposed development then the heritage asset should be considered subject to the | | 5.9.6 | Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets ¹⁰⁰ . The absence of designation for such heritage assets does not indicate | <p>Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] considers the likely significant effects of the Proposed Development on the historic environment, including designated and non-designated heritage assets.</p> <p>Volume 2, Chapter 16 of the ES: Marine archaeology [APP-057] assesses the potential impacts on all known heritage assets and their</p> |

¹⁰⁰ There will be archaeological interest in a heritage asset if it holds, or may potentially hold, evidence of past human activity worthy of expert investigation at some point.

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| | | same policy considerations as those that apply to designated heritage assets. | | | lower significance or necessarily imply that it is not of national importance. | settings within the marine archaeology study area. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.8.6 | The IPC should also consider the impacts on other non-designated heritage assets, as identified either through the development plan making process (local listing) or through the IPC's decision-making process on the basis of clear evidence that the assets have a heritage significance that merits consideration in its decisions, even though those assets are of lesser value than designated heritage assets. | | 5.9.7 | The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. | Effects on non-designated heritage assets have been considered at sections 25.9 to 25.12 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] as appropriate. The Proposed Development can therefore be considered to be in accordance with this paragraph. |
| Applicant's assessment | 5.8.8 | As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the applicant should have consulted the relevant Historic Environment Record ¹⁰¹ (or, where the development is in English or Welsh waters, English Heritage or Cadw) and assessed the | Applicant assessment | 5.9.9 – 5.9.10 | The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA, and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of | An onshore historic environment desk study (Appendix 25.2: Onshore historic environment desk study, Volume 4 of the ES [APP-200 – APP-201]) has been undertaken to identify the known and potential heritage assets (receptors) which may be affected by the Proposed Development. Table 5-1 to 5-3 summarise the archaeological receptors and their heritage significance. All known heritage assets and their archaeological significance in the marine zone have been described in detail in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] and summarised in Section 16.6 of Volume 2, Chapter 16: Marine archaeology [APP-057] . |

¹⁰¹ Historic Environment Records (HERs) are information services maintained by local authorities and National Park Authorities with a view to providing access to resources relating to the historic environment of an area for public benefit and use. The County HERs for England are available from the Heritage Gateway website at <http://www.heritagegateway.org.uk/Gateway/CHR/> For Wales, HERs can be obtained through the Historic Wales Portal at <http://jura.rcahms.gov.uk/nms/start.jsp> English Heritage and Cadw hold additional information about heritage assets in English or Welsh waters. This should also be consulted, where relevant.

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| | | heritage assets themselves using expertise where necessary according to the proposed development's impact | | | <p>assessing impacts relevant to the proposed project. As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record¹⁰² (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.</p> | <p>ES Chapter 25: Historic Environment, Volume 2 [APP-057] presents the results of the assessment of the likely significant effects of Rampion 2 with respect to historic environment, including terrestrial archaeology, historic buildings / structures, and historic landscapes.</p> <p>It should be read in conjunction with:</p> <ul style="list-style-type: none"> • Volume 2, Chapter 6 of the ES: Coastal processes [APP-047] due to potential changes in coastal processes which might introduce onshore historic environment effects; • Volume 2, Chapter 15 of the ES: Seascape, landscape and visual impact assessment (SLVIA) [APP-056] due to potential changes to the setting of onshore heritage assets which draw significance from its relationship with the coast/sea; • Volume 2, Chapter 16 of the ES: Marine archaeology [APP-066] due to the interface between onshore and marine historic environments; • Volume 2, Chapter 18 of the ES: Landscape and visual assessment [APP-059] due to potential changes to setting of onshore heritage assets which draw significance from their visual relationship with the historic landscape or landscape features; • Volume 2, Chapter 21 of the ES: Noise and vibration [PEPD-018] due to potential changes in onshore noise and vibration which might introduce onshore historic environment effects; • Volume 2, Chapter 23 of the ES: Transport [APP-064] due to potential changes in onshore transport which might |

¹⁰² Historic Environment Records (HERs) are information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use. HERs are maintained by local authorities and National Park Authorities with a view to providing access to comprehensive and dynamic resources relating to the historic environment of an area for public benefit and use. Details of Historic Environment Records in England are available from the Heritage Gateway website. For Wales, HERs can be obtained through requesting data through the relevant archaeological trust who hold the copyright. Historic England and Cadw hold additional information about heritage assets in English or Welsh waters. Historic England or Cadw should also be consulted, where relevant.

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| | 5.8.9 | Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact | | 5.9.11 | Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact. ¹⁰³ | <p>introduce onshore historic environment effects; and</p> <ul style="list-style-type: none"> • Volume 2, Chapter 26 of the ES: Water environment [APP-067] due to potential changes in the onshore water environment which might introduce onshore historic environment effects. <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | | | <p>The onshore historic environment baseline is summarised in Section 25.6 of Volume 2, Chapter 25: Historic environment [PEPD-020].</p> <p>A detailed desk study is provided in Appendix 25.2: Onshore historic environment desk study, Volume 4 of the ES [APP-200 – APP-201] the geoarchaeological and palaeoenvironmental assessment report in Appendix 25.3: Onshore desk-based geoarchaeological and palaeoenvironmental assessment report, Volume 4 of the ES [APP-202] and survey reports provided in Appendix 25.4: Onshore geophysical survey report, Volume 4 of the ES [APP-203 – APP-210] and Appendix 25.6: Archaeological trial trenching at Brook Barn Farm, Volume 4 of the ES [APP-212]. All of which have informed the assessment of potential and significance of archaeological, geoarchaeological and palaeoenvironmental remains.</p> <p>Advanced targeted archaeological trial trenching has been undertaken to better understand the potential and significance of archaeological remains (see Appendix 25.6: Archaeological trial trenching at Brook Barn Farm, Volume 4</p> |

¹⁰³ Relevant guidance is given in the Historic England publication, The Setting of Heritage Assets See <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/> For projects in Wales, relevant guidance is given in The Setting of Historic Assets in Wales. See <https://cadw.gov.wales/advice/support/placemaking/heritage-impact-assessment/setting-historic-assets>

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| | | | | | | <p data-bbox="2160 394 2807 1045"> of the ES [APP-212] which may have been impacted by the Proposed Development. An Outline Onshore WSI [APP-231] setting out the requirements for further archaeological investigation work in response to impacts of the Proposed Development has been prepared separately to the ES, informed by the results of surveys and ongoing consultation with relevant stakeholders. The Outline Onshore WSI [APP-231] was submitted with the DCO Application. The archaeological potential within the marine archaeology study area has been considered and assessed in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] and is further summarised in Section 16.6 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. An Outline Marine WSI [APP-235] was also submitted with the DCO. </p> <p data-bbox="2160 1083 2778 1182"> The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. </p> |
| | 5.8.10 | The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. | | 5.9.12 | The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected. | <p data-bbox="2160 1213 2807 1486"> Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] presents the results of the assessment of the likely significant effects of the Proposed Development with respect to historic environment, including terrestrial archaeology, historic buildings / structures, and historic landscapes. It should be read in conjunction with: </p> <ul data-bbox="2208 1524 2807 1948" style="list-style-type: none"> <li data-bbox="2208 1524 2807 1696"> Volume 2, Chapter 6 of the ES: Coastal processes [APP-047] due to potential changes in coastal processes which might introduce onshore historic environment effects; <li data-bbox="2208 1703 2807 1948"> Volume 2, Chapter 15 of the ES: Seascape, landscape and visual impact assessment (SLVIA) [APP-056] due to potential changes to the setting of onshore heritage assets which draw significance from its relationship with the coast/sea; |

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| | | | | | | <ul style="list-style-type: none"> • Volume 2, Chapter 16 of the ES: Marine archaeology [APP-057] due to the interface between onshore and marine historic environments; • Volume 2, Chapter 18 of the ES: Landscape and visual assessment [APP-059] due to potential changes to setting of onshore heritage assets which draw significance from their visual relationship with the historic landscape or landscape features; • Volume 2, Chapter 21 of the ES: Noise and vibration [PEPD-018] due to potential changes in onshore noise and vibration which might introduce onshore historic environment effects; • Volume 2, Chapter 23 of the ES: Transport [APP-064] due to potential changes in onshore transport which might introduce onshore historic environment effects; and • Volume 2, Chapter 26 of the ES: Water environment [APP-067] due to potential changes in the onshore water environment which might introduce onshore historic environment effects. |
| | | | | 5.9.13 – 5.9.14 | <p>The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> • enhancing, through a range of measures such a sensitive design, the significance | <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | | | <p>The design of the Proposed Development has been an iterative process that has sought to avoid impacts on the historic environment, wherever possible. A number of embedded environmental measures have been adopted to reduce the potential for impacts on historic environment, and these can be seen in Table 25-23 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-0020] and table 16-15 of Volume 2, Chapter 16 of the ES: Marine archaeology [APP-066].</p> |

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| | | | | | <p>of heritage assets or setting affected</p> <ul style="list-style-type: none"> considering where required the development of archive capacity which could deliver significant public benefits considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme. <p>Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.</p> | <p>Positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication as part of the Outline Marine WSI [APP-235] and Outline Onshore WSI [APP-231]. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming method statements.</p> |
| | | | | 5.9.15 | <p>Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.</p> | <p>The Proposed Development will have potential effects on the historic environment. These are presented in Sections 25.9 to 25.14 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020].</p> |
| IPC decision making | 5.8.11 | <p>In considering applications, the IPC should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset, taking account of:</p> <ul style="list-style-type: none"> evidence provided with the application; | Secretary of State decision making | 5.9.22 | <p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the</p> | <p>The significance of the known onshore heritage receptors and potential impact on known and unknown heritage receptors identified has been undertaken according to the methodology set out in Section 25.8 of Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020] (which supersedes APP-066). The results of the assessments are set out in Sections 25.9 - 25.11.</p> |

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| | | <ul style="list-style-type: none"> any designation records; the Historic Environment Record, and similar sources of information ¹⁰⁴; the heritage assets themselves; the outcome of consultations with interested parties; and where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice. | | | <p>proposed development), taking account of:</p> <ul style="list-style-type: none"> relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application any designation records, including those on the National Heritage List for England¹⁰⁵ or included on Cof Cymru ¹⁰⁶ for Wales. historic landscape character records the relevant Historic Environment Record(s), and similar sources of information representations made by interested parties during the examination process expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it | <p>The significance of the known marine heritage receptors within the offshore zone and potential impact on known and unknown marine heritage receptors identified has been undertaken according to the methodology outlined in Section 16.8 of Volume 2 Chapter 16 of the ES: Marine archaeology [APP-057]. The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] and are summarised in Section 16.6.</p> <p>The Proposed Development is therefore in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.9.23 | <p>The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.</p> | <p>The protection conferred to these heritage assets through legislation is accounted for within the scope of the assessment (see Section 25.4 of ES Chapter 25 Historic environment Volume 2 [APP-066]) and the environmental measures embedded (Table 25-23) within the Proposed Development detailed in Section 25.7.</p> <p>The Proposed Development is considered to be in accordance with this paragraph of 2024 NPS EN-1.</p> |

¹⁰⁴ Guidance on the available sources of information can be found in PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide, March 2010, or any successor document

¹⁰⁵ See <https://historicengland.org.uk/listing/the-list/>

¹⁰⁶ [Cof Cymru | Cadw \(gov.wales\)](https://www.gov.wales/cof-cymru)

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| | 5.8.12 | In considering the impact of a proposed development on any heritage assets, the IPC should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development. | | 5.9.24 | In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal. | <p>The methodology for assessing significance of heritage assets is presented in Section 25.8 of Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020].</p> <p>The significance of the known onshore heritage receptors and potential impact on known and unknown heritage receptors identified has been undertaken according to the methodology set out in Section 25.8 of Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020] (which supersedes APP-066). The results of the assessments are set out in Sections 25.9 - 25.11.</p> <p>The Proposed Development is therefore in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.8.13 | The IPC should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality ¹⁰⁷ . The IPC should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use. The IPC should have regard to any relevant local authority development plans or local impact report on the proposed development | | 5.9.25 - 5.9.26 | <p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.¹⁰⁸</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use</p> | <p>The design of the Proposed Development has been an iterative process that has sought to avoid impacts on the historic environment wherever possible. A number of embedded environmental measures have been adopted to reduce the potential for impacts on historic environment, and these can be seen in Table 25-23 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] (which supersedes APP-066) and table 16-15 of Volume 2, Chapter 16 of the ES: Marine archaeology [APP-066].</p> <p>Positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication as part of the Outline Marine WSI [APP-235] and Outline Onshore WSI [APP-231]. The works will contribute to current research frameworks in</p> |

¹⁰⁷ This can be by virtue of: • heritage assets having an influence on the character of the environment and an area's sense of place; • heritage assets having a potential to be a catalyst for regeneration in an area, particularly through leisure, tourism and economic development; • heritage assets being a stimulus to inspire new development of imaginative and high quality design; • the re-use of existing fabric, minimising waste; and • the mixed and flexible patterns of land use in historic areas that are likely to be, and remain, sustainable.

¹⁰⁸ This can be by virtue of: heritage assets having an influence on the character of the environment and an area's sense of place; heritage assets having a potential to be a catalyst for regeneration in an area, particularly through leisure, tourism and economic development; heritage assets being a stimulus to inspire new development of imaginative and high quality design; and the mixed and flexible patterns of land use in historic areas that are likely to be, and remain, sustainable.

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| | | in respect of the factors set out in footnote. | | | and landscaping (for example, screen planting). | the region and will be further detailed in forthcoming method statements. The Proposed Development is therefore in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.8.14 5.8.15 | <p>– There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Once lost heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II* listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.</p> <p>Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of</p> | | 5.9.27 – 5.9.33 | <p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.</p> <p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State</p> | <p>The design of the Proposed Development has been an iterative process that has sought to avoid impacts on the historic environment wherever possible. A number of embedded environmental measures have been adopted to reduce the potential for impacts on historic environment, and these can be seen in Table 25-23 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] (which supersedes APP-066) and table 16-15 of Volume 2, Chapter 16 of the ES: Marine archaeology [APP-066].</p> <p>A range of environmental measures within the Commitments Register [REP1-015] which relate to historic environment are embedded as part of the Rampion 2 design to remove or reduce significant environmental effects as far as possible. Examples of these embedded environmental measures include avoiding or minimising effects on sensitive sites (including listed buildings and scheduled monuments) by project footprint where practicable (C-6 and C-225); limiting the duration and working area of construction activities at defined locations (C-19, C-20 and C-22); and implementation of an agreed programme of archaeological recording and dissemination (C-79 and C-80) and public outreach (C-261).</p> <p>The Proposed Development would not lead to substantial harm to any designated heritage assets. Significant residual effects have been identified during the construction phase on potential:</p> <ul style="list-style-type: none"> • Neolithic flint mining, mortuary and settlement remains (including where these |

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| | | <p>a designated heritage asset the IPC should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.</p> | | <p>should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> the nature of the heritage asset prevents all reasonable uses of the site no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible the harm or loss is outweighed by the benefit of bringing the site back into use | <p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p> <p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p> | <p>may be related to the scheduled prehistoric flint mine on Harrow Hill);</p> <ul style="list-style-type: none"> Bronze Age and early medieval archaeological remains where these may be of national importance, within Zone 2: South Downs; and Undated possible enclosures or settlement (38_1, 38_2 and 38_3)1 indicated by geophysical survey. <p>This constitutes less than substantial harm.</p> <p>The assessment shows that there are significant effects on the setting of Grade II Listed Building Oakendene Manor in the operation and maintenance phase. The architectural interests of the asset, from which primarily derives its heritage significance, will not be affected. In this case, the identified degree of change would constitute less than substantial harm in terms of 2011 NPS EN-1 paragraph 5.8.14 - 5.8.15. Any other non-significant effects also constitute less than substantial harm.</p> <p>An Outline Onshore Written Scheme of Investigation (WSI) [APP-231] has been prepared to manage impacts to archaeological remains during construction of the onshore elements of the Proposed Development. Where features or areas of archaeological interest will be lost as a result of construction of onshore elements of the Proposed Development then the Outline Onshore WSI [APP-231] makes provision for an appropriate level of archaeological investigation and recording and this will be secured by Requirement 19 of the draft DCO [PEPD-009].</p> <p>Section 4.7 of the Planning Statement [APP-036] and Section 5, which weighs up the planning balance. outlines the demonstrable public benefits of the scheme. It is considered</p> |

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| | | | | | | <p>that the substantial public benefits of the Proposed Development outweigh any residual harm to the heritage assets outlined in the ES.</p> <p>The Proposed Development is considered to be in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.8.16 | Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies set out in paragraphs 5.8.11 to 5.8.15 above apply to those elements that do contribute to the significance. When considering proposals the IPC should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole. | | 5.9.34 | Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole. | <p>Conservation Areas are considered within Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020] (which supersedes APP-066).</p> <p>The design of the Proposed Development has been an iterative process that has sought to avoid impacts on conservation areas, wherever possible. Embedded environmental measures (Table 25-23) are presented in Section 25.7 of Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020]. The approach to conservation areas that may be subject to effects and the assessment of effects is set out in Section 25.4.</p> |
| | 5.8.17 | Where loss of significance of any heritage asset is justified on the merits of the new development, the IPC should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed. | | 5.9.19-5.9.20 | <p>Where the loss of significance of any heritage asset has been justified by the applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> imposing a requirement in the Development Consent Order requiring the applicant to enter into an obligation <p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> | <p>An Outline Onshore Written Scheme of Investigation (WSI) [APP-231] has been prepared to manage impacts to archaeological remains during construction of the onshore elements of the Proposed Development. Where features or areas of archaeological interest will be lost as a result of construction of onshore elements of the Proposed Development then the Outline Onshore WSI [APP-231] makes provision for an appropriate level of archaeological investigation and recording and this will be secured by Requirement 19 of the draft DCO [PEPD-009]. The archaeological works will necessarily be undertaken in advance of construction of the relevant part of the Proposed Development but the required programme of further evaluation and subsequent excavation will mean that it will be completed</p> |

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| | | | | | | only when there is sufficient and reasonable confidence that the development will proceed. |
| | | | | | | The Outline Onshore WSI [APP-231] also makes provision for post-excavation assessment, reporting, dissemination and archiving, and this is also secured through Requirement 19 of the draft DCO [PEPD-009] . |
| | | | | 5.9.35 | Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision. ¹⁰⁹ | A summary of the known onshore historic assets, likely heritage significance and condition where known is described in Appendix 25.2: Historic environment desk study, Volume 4 of the ES [APP-200 – APP-201] . In addition to this appendix, a separate geoarchaeological desk study has been prepared for the Site which provides further detail on the geoarchaeological and paleoenvironmental resource and potential (Appendix 25.3: Onshore desk based geoarchaeological and paleoenvironmental assessment report, Volume 4 of the ES [APP-202]). |
| | | | | | | In terms of offshore / marine archaeology, all known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] . |
| | 5.8.18 | When considering applications for development affecting the setting of a designated heritage asset, the IPC should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the IPC should weigh any negative effects against the wider | | 5.9.36 | When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When | Assessment scope and methodology of the potential impact of the offshore works on the settings of onshore heritage assets is provided in Sections 25.4 and 25.5 of Volume 2, Chapter 25 of the ES: Historic environment [PEPD-020] . The assessment considers the potential for significant effects from offshore works during construction and operation on the setting of onshore assets in Sections 25.9 and 25.10 . |

¹⁰⁹ Historic Environment Good Practice Advice in Planning 2 provides further advice on managing significance in decision-taking in the historic environment, available online at: See <https://historicengland.org.uk/imagesbooks/publications/gpa2-managing-significance-in-decision-taking/>

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| | | benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval. | | | considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval. ¹¹⁰ | <p>The assessment shows that there are significant effects on the setting of Grade II Listed Building Oakendene Manor in the operation and maintenance phase. The architectural interests of the asset, from which primarily derives its heritage significance, will not be affected. In this case, the identified degree of change would constitute less than substantial harm in terms of 2011 NPS EN-1 paragraph 5.8.14 - 5.8.15.</p> <p>Section 4.7 of The Planning Statement [APP-036] and Section 5 which weighs up the planning balance outlines the demonstrable public benefits of the scheme. It is considered that the substantial public benefits of the Proposed Development outweigh any residual harm to the heritage assets outlined in the ES.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Recording | 5.8.19 | A documentary record of our past is not as valuable as retaining the heritage asset and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given. | Mitigation | 5.9.16 | A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given. | <p>There are a range of environmental measures within the Commitments Register [REP1-015] which relate to historic environment. These are embedded as part of the proposed design to remove or reduce significant environmental effects as far as possible. This includes avoiding or minimising effects on sensitive sites by project footprint where practicable. Only where impacts are not avoidable, an appropriate programme of mitigation will be undertaken to ensure preservation by record. (C-6 and C-225).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.8.20 | Where the loss of the whole or a material part of a heritage asset's significance is justified, the IPC | | 5.9.17 | Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will | An Outline Onshore Written Scheme of Investigation (WSI) [APP-231] has been prepared to manage impacts to archaeological |

¹¹⁰ Cooling towers and exhaust stacks can form part of projects covered by EN-2, EN-3 and EN-6. Other features of energy infrastructure which can be similarly prominent are associated with particular technologies and so are considered in the technology-specific NPSs (see e.g. Section 2.9 of EN-5).

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| | | should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it. | | | require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it. | remains during construction of the onshore elements of the Proposed Development. Where features or areas of archaeological interest will be lost as a result of construction of onshore elements of the Proposed Development then the Outline Onshore WSI [APP-231] makes provision for an appropriate level of archaeological investigation and recording and this will be secured by Requirement 19 of the draft DCO [PEPD-009] . The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.8.21 5.8.22 | - Where the IPC considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the IPC should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction. | | 5.9.18 5.9.21 | Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured. Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction. | An Outline Onshore Written Scheme of Investigation (WSI) [APP-231] has been prepared to manage impacts to archaeological remains during construction of the onshore elements of the Proposed Development. Where features or areas of archaeological interest will be lost as a result of construction of onshore elements of the Proposed Development then the Outline Onshore WSI [APP-231] makes provision for an appropriate level of archaeological investigation and recording and this will be secured by Requirement 19 of the draft DCO [PEPD-009] . The Outline Onshore WSI [APP-231] also makes provision for post-excavation assessment, reporting, dissemination and archiving, and this is also secured through Requirement 19 of the draft DCO [PEPD-009] . The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | 5.10 Landscape and Visual | 5.10.6 | Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim | See response to paragraph NPS EN-1 2024 paragraph 5.10.19. |

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| | | | | | should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. | The Proposed Development is therefore in accordance with this paragraph of NPS EN-1 2024. |
| | | | | 5.10.7 – 5.10.8 | <p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> | <p>The potential for Rampion 2 to impact upon the nationally designated areas has been considered in ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] Section 18.9 to 18.13. Regard has been paid to the purpose and special qualities of these nationally designated landscapes following stakeholder comments through the embedded environmental measures applied to the project as described in Section 18.7.</p> <p>The effects on the Special Landscape Qualities of the SDNP and High Weald AONB and their setting are assessed in Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169] and summarised in Sections 18.9 to 18.13 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059]. The chapter notes that the assessment of the SDNP has drawn from both the landscape and the visual assessment as well as further assessment of the likely effects of the onshore elements of the Proposed Development on the special qualities of the SDNP and its setting and integrity. It is likely that during the construction period there will be a significant effect on two of the seven special qualities of the SDNP. These include the “Diverse, inspirational landscapes and breathtaking views” (Special Quality 1), and “Tranquil and unspoilt places” (Special Quality 3).</p> <p>The assessment notes that because of the short duration of these residual effects, occurring in discrete sections and their largely reversible nature (the onshore cable corridor will be reinstated and vegetation re-planted) the integrity of this part of the SDNP will not be significantly affected by the landscape and visual effects during the construction phase.</p> |

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| | | | | | | <p>The methodologies that will be used to ensure construction (including restoration) is undertaken in a sensitive and appropriate way can be found in the Outline Construction Method Statement [APP-255], the Outline Code of Construction Practice (CoCP) [PEPD-033], and the Outline Landscape and Ecology Management Plan (LEMP) [APP-232]. These documents are secured within the draft DCO [PEPD-009] under Requirements 12, 22 and 23.</p> <p>During the operation and maintenance phase, the effects on the SDNP will reduce and considering the replacement planting and its maintenance for 10 years as set out in the Outline LEMP [APP-232]; there will be no remaining significant effects resulting from the onshore elements of the Proposed Development on the SDNP and its special qualities, setting or integrity.</p> <p>The potential for Rampion 2 to impact upon the nationally designated areas has been considered in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Section 15.10. Regard has been paid to the purpose and special qualities of these nationally designated landscapes following stakeholder comments through the embedded environmental measures applied to the project as described in Section 15.7.</p> <p>The effects of the Proposed Development on views and perceived special qualities of the SNDP, Chichester Harbour AONB (CHAONB) and Isle of White AONB (IoWAONB) are assessed in ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Section 15.9 to 15.12, with the main long term effects during the operational phase assessed in Section 15.10. Section 15.7 sets out how the design of the Proposed Development shows regard to the statutory purpose of these receptors with the aim of minimising harm to their special qualities.</p> |

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| | | | | | | <p>Significant seascape, landscape and visual effects of the Proposed Development have been identified for areas of the SDNP. There will be some change to the SDNP's special qualities, in particular 'diverse, inspirational landscapes and breath-taking views' (Special Quality 1). No measures are available to completely mitigate the significant effects on views from coastal settlements, the SDNP and Heritage Coast. However, a number of measures are embedded as part of the Proposed Development design to avoid, minimise or reduce any significant environmental effects on seascape, landscape and visual receptors, as far as possible.</p> <p>The Applicant considers; however, that the Proposed Development will not undermine the statutory purpose of the SDNP: harm is caused to one of the SDNP's special qualities and this is limited to certain locations, particularly on the coastal extent of the SDNP and the elevated tops of the downs. Whilst harm will be caused to this quality ('breathtaking views' and 'stunning, panoramic views to the sea'), this will not compromise the purpose of the designation, as the natural beauty of the SDNP will remain and opportunities will still be present for understanding and enjoyment of the special qualities of the SDNP, and the Proposed Development will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation.</p> <p>See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024]. With regards to the wording of the 2024 NPS, the Applicant will continue to engage with the SDNP with regards the mitigation and additional enhancement opportunities to further the purposes of the National Park and seek to reach agreement on these matters during the course of the Examination.</p> |

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| | | | | | | <p>The assessment found no significant effects on the special qualities of the loW AONB. The residual effect of the offshore elements of Rampion 2 on CHAONB is assessed as significant only on the perceived 'unique blend of land and sea' (SQ1) and 'significance of... distant landmarks across land and water' (SQ3) experienced from a limited area of the coastal edges/open seascape at the mouth to Chichester Harbour, at the coastal strip edges of LCA F1 South Hayling Island, where there are open views of the sea and in particular views south-east along the Witterings toward Selsey Bill. Although there are some significant effects on views and perceived special quality of this designation, no effects are of such magnitude or significant enough, on their own or cumulatively to compromise statutory purposes of the designation.</p> <p>The Proposed Development therefore complies with these paragraphs of the 2024 NPS EN-1.</p> |
| | | | | 5.10.11 | Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area. | <p>The Sussex Heritage Coast is wholly within the SDNP. No Rampion 2 development will take place within the Heritage Coast.</p> <p>The Proposed Development therefore accords with this paragraph.</p> |
| 5.9 Landscape and visual Applicant's assessment | 5.9.5 | The applicant should carry out a landscape and visual assessment and report it in the ES. (See Section 4.2) A number of guides have been produced to assist in addressing landscape issues ¹¹¹ . The landscape and visual assessment should include reference to any landscape character assessment and | Applicant assessment | 5.10.16 – 5.10.17 | The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues. ¹¹² The landscape and visual assessment should include reference | <p>The Applicant has undertaken an assessment of landscape and visual impact in ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] and seascape in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056].</p> <p>The landscape and visual assessment (LVIA) has been prepared in accordance with best</p> |

¹¹¹ Landscape Institute and Institute of Environmental Management and Assessment (2002, 2nd edition): Guidelines for Landscape and Visual Impact Assessment; and Land Use Consultants (2002): Landscape Character Assessment – Guidance for England and Scotland; Countryside Council for Wales/Cadw (2007) Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process.

¹¹² The Landscape Institute and Institute of Environmental Management and Assessment: Guidelines for Landscape and Visual Impact Assessment (2013, 3rd edition); Landscape and Seascape Character Assessments – see <https://www.gov.uk/guidance/landscape-and-seascape-character-assessments>; Countryside Council for Wales/Cadw (2007) Guide to Good Practice on Using the Register of Landscapes of Historic Interest in Wales in the Planning and Development Process; or any successor documents.

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| | | <p>associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> | | | <p>to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> | <p>practice guidance which are referred to in the LVIA Methodology in Appendix 18.1: Landscape and visual impact assessment methodology, Volume 4 [APP-167].</p> <p>Cumulative effects as reported in Sections 18.9 to 18.13 of the ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059].</p> <p>With regards to seascape, ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] outlines that it is considered that there is no potential for the offshore elements of the Proposed Development to have cumulative effects with other offshore wind farms or onshore projects, beyond those arising with the existing Rampion 1 project (which are considered in the main assessments in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Sections 15.9, 15.10 and 15.11). For this reason, the potential cumulative effects of the offshore elements of the Proposed Development with other projects are scoped out of the SLVIA.</p> <p>The LVIA set out in ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] has been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance listed in Section 18.2. The scope of the assessment has also been informed by ongoing consultation and engagement with statutory consultees throughout the design and assessment process. Reference to landscape character assessment studies and local development documents that informed the assessment is set out in Section 18.5 APP-059.</p> <p>The Proposed Development is therefore in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | 5.10.18 | For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them. ¹¹³ | <p>Section 15.6, and 15.9 to 15.14 of the SLVIA in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] takes into account the relevant landscape and seascape character assessments as listed in Table 15-11 of the chapter.</p> <p>The Proposed Development is therefore in accordance with this paragraph of NPS EN-1 2024.</p> |
| | 5.9.6 | The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character. | | 5.10.19 | The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme. | <p>ES Chapter 3, Alternatives, Volume 2 [APP-044] presents the staged design process whilst identifying the main reasons for each of the options chosen and those not taken forward to a subsequent stage of the design evolution process. Appropriate alternatives have been considered, having regard to operational requirements, planning policy context, site constraints and development constraints (including landscape) and the outcomes of the environmental assessment process. Key feasibility concerns for the offshore array area initially included consideration of (inter alia) landscape / seascape, visual and heritage (by locating the area of search no closer to shore than the existing Rampion 1 development) prior to scoping.</p> <p>ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] sets out the design principles that have been applied to the design of Rampion 2 particularly in regard to the spatial extent of the Offshore Array Area, and the seascape, landscape and visual rationale for selection of the Proposed Development design envelope for the Offshore Array Area.</p> <p>The design of the onshore elements of the Proposed Development has been an iterative process (Chapter 3: Alternatives, Volume 2</p> |

¹¹³ [East marine plan areas: Seascape character assessment - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

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| | | | | | | <p>[APP-044] that has that has sought to avoid sensitive features in the landscape wherever possible. Strategic principles to the landscape design and approach to embedded environmental measures are presented in Section 18.7 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059]. The effect of the onshore elements of the Proposed Development on landscape components (elements) and landscape character during the construction, and operation and maintenance phases are assessed in Sections 18.9 to 18.13 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] and Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169].</p> <p>Sections 15.9 and 15.10 of the Seascape, Landscape and Visual Impact Assessment (SLVIA) in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] assess the effect on landscape components and landscape character (with respect to seascape, landscape and visual) during construction and operation.</p> <p>The Proposed Development is considered to be in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.10.20 | <p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an Areas of Outstanding Natural Beauty the assessment should include effects on the natural beauty and special qualities of these areas.</p> | <p>The effects on the Special Landscape Qualities of the South Downs National Park (SDNP) and High Weald AONB and their setting are assessed in Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169] and summarised in Sections 18.9 to 18.13 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059]. The chapter notes that the assessment of the SDNP has drawn from both the landscape and the visual assessment as well as further assessment of the likely effects of the onshore elements of the Proposed Development on the special qualities of the SDNP and its setting and integrity. It is likely that during the construction period there will be a significant</p> |

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| | | | | | | <p>effect on two of the seven special qualities of the SDNP. These include the “Diverse, inspirational landscapes and breathtaking views” (Special Quality 1), and “Tranquil and unspoilt places” (Special Quality 3).</p> <p>The assessment notes that because of the short duration of these residual effects, occurring in discrete sections and their largely reversible nature (the onshore cable corridor will be reinstated and vegetation re-planted) the integrity of this part of the SDNP will not be significantly affected by the landscape and visual effects during the construction phase. During the operation and maintenance phase, the effects on the SDNP will reduce and considering the replacement planting and its maintenance for 10 years as set out in the Outline Landscape and Ecology Management Plan (LEMP) [APP-232]; there will be no remaining significant effects resulting from the onshore elements of the Proposed Development on the SDNP and its special qualities, setting or integrity.</p> <p>The assessment within ES Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] finds that there will be no effect on the special qualities, setting and integrity of the High Weald AONB.</p> <p>The effects of Rampion 2 on views and perceived special qualities of the SNDP, Chichester Harbour AONB (CHAONB) and Isle of White AONB (IoWAONB) are assessed in ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Section 15.9 to 15.12, with the main long term effects during the operational phase assessed in Section 15.10. Section 15.7 sets out how the design of Rampion 2 shows regard to the statutory purpose of these receptors with the aim of minimising harm to their special qualities. Significant seascape, landscape and visual effects of Rampion 2 have been identified for</p> |

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| | | | | | | <p>areas of the SDNP. There will be some change to the SDNP's special qualities, in particular 'diverse, inspirational landscapes and breathtaking views' (Special Quality 1). No measures are available to completely mitigate the significant effects on views from coastal settlements, the SDNP and Heritage Coast. However, a number of measures are embedded as part of the Rampion 2 design to avoid, minimise or reduce any significant environmental effects on seascape, landscape and visual receptors, as far as possible.</p> <p>It is considered; however, that Rampion 2 will not undermine the statutory purpose of the SDNP: harm is caused to one of the SDNP's special qualities and this is limited to certain locations, particularly on the coastal extent of the SDNP and the elevated tops of the downs. Whilst harm will be caused to this quality ('breathtaking views' and 'stunning, panoramic views to the sea'), this will not compromise the purpose of the designation, as the natural beauty of the SDNP will remain and opportunities will still be present for understanding and enjoyment of the special qualities of the SDNP, and Rampion 2 will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation.</p> <p>The assessment found no significant effects on the special qualities of the loW AONB. The residual effect of the offshore elements of Rampion 2 on CHAONB is assessed as significant only on the perceived 'unique blend of land and sea' (SQ1) and 'significance of... distant landmarks across land and water' (SQ3) experienced from a limited area of the coastal edges/open seascape at the mouth to Chichester Harbour, at the coastal strip edges of LCA F1 South Hayling Island, where there are open views of the sea and in particular views south-east along the Witterings toward Selsey Bill. Although there are some significant effects on views and perceived special quality of this</p> |

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| | | | | | | <p>designation, no effects are of such magnitude or significant enough, on their own or cumulatively to compromise statutory purposes of the designation.</p> <p>The Applicant refers to the Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024].</p> <p>Rampion 2 therefore accords with this paragraph of EN-1.</p> |
| | 5.9.7 | The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation | | 5.10.21 – 5.10.22 | <p>The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.</p> <p>The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.</p> | <p>The visual effects of the onshore elements of the Proposed Development on surrounding receptors including settlements, transport routes, recreational routes and visitor attractions during the construction, and operation and maintenance phases are assessed in Sections 18.9 to 18.13 of the ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059], and Appendix 18.4: Visual assessment, Volume 4 of the ES [APP-170].</p> <p>The visual effects of the Rampion 2 Offshore Wind Farm during construction and operation, including night-time visual effects, are assessed in 15.9 and 15.10 of the SLVIA in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056]. An assessment of the likely effects that will arise from visibility of the proposed aviation and marine navigation lighting has been undertaken in Volume 4, Appendix 15.5: Assessment of aviation and navigation night-time lighting [APP-161].</p> <p>The effect of the onshore elements of the Proposed Development on views from residential properties and other visual receptors during the construction, and operation and maintenance phases are assessed in ES Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] Sections 18.9 to 18.13, and Appendix 18.3: Landscape assessment,</p> |

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| | | | | | | <p>Volume 4 [APP-170]. Section 18.7 of APP-059 sets out embedded environmental measures to minimise noise and light pollution from construction and operational activities on residential amenity and on sensitive locations. Effects on noise are assessed in ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018].</p> <p>The Proposed Development is therefore in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1</p> |
| | | | | 5.10.24 | Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality. | <p>The design of the onshore elements of the Proposed Development has been an iterative process as detailed in ES Chapter 3 Alternatives, Volume 2 [APP-042]. The design has sought to avoid sensitive features in the landscape wherever possible. Embedded measures are presented in ES Chapter 18: Landscape and visual impact, Volume 2 [APP-059] Section 18.7.</p> <p>The Design and Access Statement (DAS) [AS-003] which provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works includes landscape plans (Appendix C National Grid Bolney Substation Extension Indicative Landscape Plan and Appendix D Onshore Oakendene onshore substation Indicative Landscape Plan).</p> <p>The DAS has been prepared in conjunction with the Outline Landscape and Ecological Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor.</p> <p>Rampion 2 therefore accords with this paragraph of EN-1.</p> |

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| IPC decision making Landscape impact | 5.9.8 | Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. | | | | <p>The quality, value and capacity of the landscape to accommodate change are considerations of the landscape assessments presented in Chapter 18 Landscape and visual impact, Volume 2 [APP-059] and ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056]. The design of both the onshore and offshore elements of the Proposed Development has considered the potential impact on the landscape and embedded environmental measures are proposed to minimise harm. These are presented in Sections 18.9 to 18.13 of Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169], as well as in Section 15.7 of the SLVIA Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056]. Where possible the Applicant has sought to minimise harm.</p> <p>The Proposed Development therefore accords with this paragraph of EN-1.</p> |
| | | | | 5.10.29 – 5.10.30 | <p>The Secretary of State should take into consideration the level of detailed design which the applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals. The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p> | <p>ES Chapter 4 the Proposed Development, Volume 2 [APP-045] outlines that the description of the Proposed Development is indicative and a ‘design envelope’ approach has been adopted which takes into account Planning Inspectorate Advice Note Nine: Rochdale Envelope, July 2018 (Planning Inspectorate, 2018). The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design.</p> <p>The key offshore and onshore component assessment assumptions are provided in Section 4.3 and Section 4.5 [APP-045]. Where relevant, bold text indicates a parameter outlined in the DCO Application within assessment assumption tables Table 4-2 to Table 4-27, a summary table for the parameters is also provided in Appendix</p> |

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| IPC decision making Development proposed within nationally designated landscapes | 5.9.9 5.9.10 | - National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should | | 5.10.32 | When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional | <p>4.3 Proposed Development Parameters, Volume 4 [APP-124]. These parameters are secured in the Draft DCO [PEPD-009], including within the Deemed Marine Licences (DML) conditions as relevant.</p> <p>The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works. Detailed substation design approval is secured through Requirement 8 and 9 of the Draft DCO [PEPD-009]. The DAS includes the maximum parameters of the infrastructure which has informed the EIA process. The outcomes of the EIA process have informed the development of design principles which are secured in the DAS and with which the detailed design shall be in accordance. These include landscape and visual, historic environment, ecology, flood risk and drainage, climate change and ground conditions.</p> <p>The DAS has been prepared in conjunction with the Outline LEMP [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor. The submission and approval of a LEMP by the relevant planning authority in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is a draft DCO requirement [PEPD-009].</p> <p>Section 4.4 of the Planning Statement [APP-036] sets out the Applicant's consideration of these elements, drawing on the relevant assessments in the ES. The need for the development is set out in paragraphs 4.4.7 to 4.4.21; the cost and scope of development alternatives set out in paragraph 4.4.22 to 4.4.67; the detrimental effect on the environment, landscape and recreational opportunities and extent to which that could be moderated set out in paragraphs 4.4.68 to</p> |

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| | | <p>have regard to in its decisions ¹¹⁴. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas. Nevertheless, the IPC may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> • the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; • the cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.4; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. | | | <p>circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> • the need for the development, including in terms of national considerations ¹¹⁵ and the impact of consenting or not consenting it upon the local economy; • the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. | <p>4.4.90. The Applicant has considered the key policy tests in paragraph 5.9.10 relating to development taking place within the SDNP and considers that the Proposed Development is demonstrably in the public interest, that there are exceptional circumstances for granting the Proposed Development, and that the impacts of the Proposed Development on the SDNP are outweighed by the benefits of the scheme.</p> <p>The Applicant refers to the Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024]. The effects on the Special Landscape Qualities of the South Downs National Park (SDNP) and High Weald AONB and their setting are assessed in Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169] and summarised in Sections 18.9 to 18.13 of ES Chapter 18: Landscape and visual impact, Volume 2 [APP-059]. The Chapter notes that the assessment of the SDNP has drawn from both the landscape and the visual assessment as well as further assessment of the likely effects of the onshore elements of the Proposed Development on the special qualities of the SDNP and its setting and integrity. It is likely that during the construction period there will be a significant effect on two of the seven special qualities of the SDNP. These include the “Diverse, inspirational landscapes and breathtaking views” (Special Quality 1), and “Tranquil and unspoilt places” (Special Quality 3).</p> <p>The assessment notes that because of the short duration of these residual effects, occurring in discrete sections and their largely reversible nature (the onshore cable corridor will be reinstated, and vegetation re-planted) the</p> |

¹¹⁴ For an explanation of the duties which will apply to the IPC, see ‘Duties on relevant authorities to have regard to the purposes of National Parks, AONBs and the Norfolk and Suffolk Broads’ at <http://www.defra.gov.uk/rural/documents/protected/npaonb-duties-guide.pdf>

¹¹⁵ National considerations should be understood to include the national need for the infrastructure as set out in Part 3 of this NPS and the contribution of the infrastructure to the national economy.

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| | | | | | | <p>integrity of this part of the SDNP will not be significantly affected by the landscape and visual effects during the construction phase. During the operation and maintenance phase, the effects on the SDNP will reduce and considering the replacement planting and its maintenance for 10 years as set out in the Outline Landscape and Ecology Management Plan (LEMP) [APP-232]; there will be no remaining significant effects resulting from the onshore elements of the Proposed Development on the SDNP and its special qualities, setting or integrity.</p> <p>The assessment within Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] finds that there will be no effect on the special qualities, setting and integrity of the High Weald AONB.</p> <p>It is considered; however, that the Proposed Development will not undermine the statutory purpose of the SDNP: harm is caused to one of the SDNP's special qualities and this is limited to certain locations, particularly on the coastal extent of the SDNP and the elevated tops of the downs. Whilst harm will be caused to this quality ('breathtaking views' and 'stunning, panoramic views to the sea'), this will not compromise the purpose of the designation, as the natural beauty of the SDNP will remain and opportunities will still be present for understanding and enjoyment of the special qualities of the SDNP, and the proposals will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.9.11 | The IPC should ensure that any projects consented in these designated areas should be carried out to high environmental standards, | | 5.10.33 | For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further | Regard has been paid to the purpose and special qualities of nationally designated South Downs National Park through the embedded environmental measures applied to Rampion 2 |

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| | | including through the application of appropriate requirements where necessary. | | | purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary. | <p>as described in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Section 15.7.</p> <p>The Applicant is committed to delivering the project to the highest environmental standards, both within and beyond the SDNP, as referred to in NPS-EN1 and has developed the measures described above that are secured through the management plans and related requirements of the Draft DCO [PEPD-009].</p> <p>DCO Requirement 6 confirms that in all other locations along the cable corridor the cables will be installed underground: this is to reduce visual impact particular in, and from, the South Downs National Park.</p> <p>See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024].</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 and 2024 EN-1.</p> |
| Developments outside nationally designated areas which might affect them | 5.9.12 | The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on National Scenic Areas in Scotland. | | 5.10.34 | The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent. | <p>See response to paragraphs 5.10.7-5.10-8 of NPS EN-1 2024.</p> <p>See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024]. In relation to the 2024 NPS, the Applicant will continue to engage with the SDNP with regards the mitigation and additional enhancement opportunities to further the purposes of the National Park and seek to reach agreement on these matters during the course of the Examination.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | 5.9.13 | The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent. | | 5.10.35 | The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. | <p>The benefits of Rampion 2 are summarised in Section 4.2 of the Planning Statement [APP-036]. Rampion 2 is an offshore wind generating station that is a technology classed as Critical National Priority (CNP) in the NPS. There is an urgent need to bring forward CNP infrastructure and the government strongly supports the delivery of CNP infrastructure. The adverse impacts on the landscape are set out in response to paragraph NPS EN-1 2024 5.10.36.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.10.36 | In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable. | <p>The effects on the Special Landscape Qualities of the South Downs National Park (SDNP) and High Weald AONB and their setting are assessed in Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169] and summarised in Sections 18.9 to 18.13 of ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059]. The chapter notes that the assessment of the SDNP has drawn from both the landscape and the visual assessment as well as further assessment of the likely effects of the onshore elements of the Proposed Development on the special qualities of the SDNP and its setting and integrity. It is likely that during the construction period there will be a significant effect on two of the seven special qualities of the SDNP. These include the “Diverse, inspirational landscapes and breathtaking views” (Special Quality 1), and “Tranquil and unspoilt places” (Special Quality 3).</p> <p>The assessment notes that because of the short duration of these residual effects, occurring in discrete sections and their largely reversible nature (the onshore cable corridor will be reinstated and vegetation re-planted) the integrity of this part of the SDNP will not be significantly affected by the landscape and visual effects during the construction phase.</p> |

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| | | | | | | <p data-bbox="2160 396 2807 737">During the operation and maintenance phase, the effects on the SDNP will reduce and considering the replacement planting and its maintenance for 10 years as set out in the Outline Landscape and Ecology Management Plan (LEMP) [APP-232]; there will be no remaining significant effects resulting from the onshore elements of the Proposed Development on the SDNP and its special qualities, setting or integrity.</p> <p data-bbox="2160 774 2807 1665">The effects of Rampion 2 on views and perceived special qualities of the SDNP, Chichester Harbour AONB (CHAONB) and Isle of White AONB (IoWAONB) are assessed in ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Section 15.9 to 15.12, with the main long term effects during the operational phase assessed in Section 15.10. Section 15.7 sets out how the design of Rampion 2 shows regard to the statutory purpose of these receptors with the aim of minimising harm to their special qualities. Significant seascape, landscape and visual effects of Rampion 2 have been identified for areas of the SDNP. There will be some change to the SDNP's special qualities, in particular 'diverse, inspirational landscapes and breathtaking views' (Special Quality 1). No measures are available to completely mitigate the significant effects on views from coastal settlements, the SDNP and Heritage Coast. However, a number of measures are embedded as part of the Rampion 2 design to avoid, minimise or reduce any significant environmental effects on seascape, landscape and visual receptors, as far as possible.</p> <p data-bbox="2160 1703 2807 1940">It is considered; however, that Rampion 2 will not undermine the statutory purpose of the SDNP: harm is caused to one of the SDNP's special qualities and this is limited to certain locations, particularly on the coastal extent of the SDNP and the elevated tops of the downs. Whilst harm will be caused to this quality ('breathtaking views')</p> |

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| | | | | | | <p>and 'stunning, panoramic views to the sea'), this will not compromise the purpose of the designation, as the natural beauty of the SDNP will remain and opportunities will still be present for understanding and enjoyment of the special qualities of the SDNP, and Rampion 2 will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation.</p> <p>The assessment found no significant effects on the special qualities of the IoW AONB. The residual effect of the offshore elements of Rampion 2 on CHAONB is assessed as significant only on the perceived 'unique blend of land and sea' (SQ1) and 'significance of... distant landmarks across land and water' (SQ3) experienced from a limited area of the coastal edges/open seascape at the mouth to Chichester Harbour, at the coastal strip edges of LCA F1 South Hayling Island, where there are open views of the sea and in particular views south-east along the Witterings toward Selsey Bill. Although there are some significant effects on views and perceived special quality of this designation, no effects are of such magnitude or significant enough, on their own or cumulatively to compromise statutory purposes of the designation.</p> <p>As outlined in response to NPS EN-1 2024 paragraph 5.10.35 the Applicant considers that the benefits of the Proposed Development outweigh the impacts on the landscape.</p> |
| Developments in other areas | 5.9.14 | Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England or a local development plan in Wales has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should | | 5.10.12 | Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be | <p>Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] identifies that there are no locally designated landscapes within the LVIA Study Area.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | not be used in themselves to refuse consent, as this may unduly restrict acceptable development. | | | used in themselves to refuse consent, as this may unduly restrict acceptable development. | |
| | 5.9.15 | The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The IPC should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. | | | | <p>The impacts on visual receptors are assessed in ES Chapter 15 Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Sections 15.9 to 15.14. This includes consideration of visibility from undeveloped coast. The impacts on visual receptors are assessed in ES Chapter 18 Landscape and visual impact, Volume 2 [APP-059] Sections 18.9 to 18.13.</p> <p>The benefits of the Proposed Development are summarised in Section 4.2 of the Planning Statement [APP-036]. The Proposed Development is an offshore wind generating station that is a technology classed as Critical National Priority (CNP) in the 2024 NPS. There is an urgent need to bring forward CNP infrastructure and the government strongly supports the delivery of CNP infrastructure. The adverse impacts on the landscape are set out in response to paragraph 5.9.16 of 2011 NPS EN-1.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.9.16 | In reaching a judgment, the IPC should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable. | | | | <p>The effects on the Special Landscape Qualities of the South Downs National Park (SDNP) and High Weald AONB and their setting are assessed in Appendix 18.3: Landscape assessment, Volume 4 of the ES [APP-169] and summarised in Sections 18.9 to 18.13 of Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059]. The Chapter notes that the assessment of the SDNP has drawn from both the landscape and the visual assessment as well as further assessment of the likely effects of the onshore elements of the Proposed Development on the special qualities of the SDNP and its setting and integrity. It is</p> |

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| | | | | | | <p>likely that during the construction period there will be a significant effect on two of the seven special qualities of the SDNP. These include the “Diverse, inspirational landscapes and breathtaking views” (Special Quality 1), and “Tranquil and unspoilt places” (Special Quality 3).</p> <p>The assessment notes that because of the short duration of these residual effects, occurring in discrete sections and their largely reversible nature (the onshore cable corridor will be reinstated, and vegetation re-planted) the integrity of this part of the SDNP will not be significantly affected by the landscape and visual effects during the construction phase. During the operation and maintenance phase, the effects on the SDNP will reduce and considering the replacement planting and its maintenance for 10 years as set out in the Outline Landscape and Ecology Management Plan (LEMP) [APP-232]; there will be no remaining significant effects resulting from the onshore elements of the Proposed Development on the SDNP and its special qualities, setting or integrity.</p> <p>The effects of the Proposed Development on views and perceived special qualities of the SNDP, Chichester Harbour AONB (CHAONB) and Isle of White AONB (IoWAONB) are assessed in Section 15.9 to 15.12 of ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056], with the main long term effects during the operational phase assessed in Section 15.10. Section 15.7 sets out how the design of the Proposed Development shows regard to the statutory purpose of these receptors with the aim of minimising harm to their special qualities.</p> <p>Significant seascape, landscape and visual effects of the Proposed Development have been identified for areas of the SDNP. There will be some change to the SDNP’s special qualities, in</p> |

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| | | | | | | <p>particular 'diverse, inspirational landscapes and breath-taking views' (Special Quality 1). No measures are available to completely mitigate the significant effects on views from coastal settlements, the SDNP and Heritage Coast. However, a number of measures are embedded as part of the design of the Proposed Development to avoid, minimise or reduce any significant environmental effects on seascape, landscape and visual receptors, as far as possible.</p> <p>It is considered; however, that the Proposed Development will not undermine the statutory purpose of the SDNP: harm is caused to one of the SDNP's special qualities and this is limited to certain locations, particularly on the coastal extent of the SDNP and the elevated tops of the downs. Whilst harm will be caused to this quality ('breathtaking views' and 'stunning, panoramic views to the sea'), this will not compromise the purpose of the designation, as the natural beauty of the SDNP will remain and opportunities will still be present for understanding and enjoyment of the special qualities of the SDNP, and the Proposed Development will not therefore undermine the statutory purpose of the SDNP or compromise the purposes of its designation. The assessment found no significant effects on the special qualities of the IoW AONB. The residual effect of the offshore elements of the proposals on CHAONB is assessed as significant only on the perceived 'unique blend of land and sea' (SQ1) and 'significance of... distant landmarks across land and water' (SQ3) experienced from a limited area of the coastal edges/open seascape at the mouth to Chichester Harbour, at the coastal strip edges of LCA F1 South Hayling Island, where there are open views of the sea and in particular views south-east along the Witterings toward Selsey Bill. Although there are some significant effects on views and perceived special quality of this designation, no effects are of such magnitude or significant enough, on their own or cumulatively</p> |

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| | | | | | | <p>to compromise statutory purposes of the designation.</p> <p>As outlined in response to paragraph 5.9.15 the Applicant considers that the benefits of the Proposed Development outweigh the impacts on the landscape.</p> |
| | 5.9.17 | <p>The IPC should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.</p> | | 5.10.37 | <p>The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.</p> | <p>The iterative process and changes made during the evolution of the design of the Proposed Development that take into account environment factors are outlined in ES Chapter 3: Alternatives, Volume 2 [APP-044]. The design of the onshore elements of the Proposed Development has considered the potential effect on the landscape and includes embedded environmental measures presented in Section 18.7 which will be implemented in order to provide mitigation of landscape and visual effects and cumulative effects as reported in Sections 18.9 to 18.13, and ES Appendix 18.3 Landscape assessment, Volume 4 [APP-169].</p> <p>Section 15.7 of ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] sets out how the Proposed Development has been ‘designed carefully’ in respect of seascape, landscape and visual receptors, including demonstrating how it has taken account of environmental effects on the landscape and how it ‘minimises harm’ by providing embedded environmental measures that address seascape, landscape and visual effects.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.10.38 | <p>The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the</p> | <p>The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works includes landscape plans (Appendix C National Grid Bolney</p> |

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| | | | | | statutory and technical requirements for landscape and visual impacts. | <p>Substation Extension Indicative Landscape Plan and Appendix D Onshore Oakendene onshore substation Indicative Landscape Plan). Detailed substation design approval is secured through Requirement 8 and 9 of the draft DCO [PEPD-009].</p> <p>The DAS has been prepared in conjunction with the Outline LEMP [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor. The submission and approval of a LEMP by the relevant planning authority in consultation with Natural England and Historic England (where relevant), that accords with the Outline LEMP, is a draft DCO requirement [PEPD-009].</p> <p>With regards to offshore, detailed design approval is secured through requirement 11 of the Deemed Marine Licence (DML) within the draft DCO [PEPD-009].</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-1.</p> |
| Visual impact | 5.9.18 | All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast. | | 5.10.13 – 5.10.15 | All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast. | <p>The impacts on visual receptors from offshore development are assessed in ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] Sections 15.9 to 15.14. This includes consideration of visibility from undeveloped coast. The impacts on visual receptors from onshore development are assessed in ES Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] Sections 18.9 to 18.13. The benefits of the Proposed Development are summarised in Section 4.2 of the Planning Statement [APP-036]. The Applicant considers that the benefits of the Proposed Development outweigh the impacts.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | 5.9.19 | It may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the IPC in judging the weight it should give to the assessed visual impacts of the proposed development. | | 5.10.25 | In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development. | ES Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] references Rampion 1, East Anglia ONE, Greater Gabbard and Triton Knoll as examples of existing permitted onshore infrastructure which may have comparable landscape and visual effects. The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| Mitigation | 5.9.21 | Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function. | | 5.10.26 | Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function. | <p>The iterative process and changes made during the evolution of the design of the Proposed Development are considered in ES Chapter 3: Alternatives, Volume 2 [APP-044]. Detailed engagement on seascape, landscape and visual impacts was undertaken through the Evidence Plan [APP-243 – APP-253], with a series of amendments (reductions) made through the design evolution process, including reducing the Zone 6 area in the east, to reduce the impact from the Sussex Heritage Coast. The Round 3 Zone 6 area is shown on Figure 3.1a and Figure 3.1b of Volume 3 Chapter 3 Alternatives – Figures of the ES [APP-075], and the reduced area included in the PEIR Assessment Boundary is illustrated on Figure 3.2, Volume 3 of the ES [APP-075].</p> <p>The visual impacts of the proposed WTGs are assessed in ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056]. Design principles are described in Section 15.7, which sets out how the design of the Proposed Development provides embedded environmental measures addressing visual effects, in response to stakeholder comments, including a reduction in the spatial extent of the array area, its spread and quantity of WTGs within it. A further reduction would result in a significant loss of generating capacity potential and would not fall</p> |

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| | | | | | | <p>within the exceptional circumstances contemplated.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.9.22 | Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration. | | 5.10.27 | Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings. | <p>Landscape and visual effects have been minimised through site selection and design as demonstrated by the embedded environmental measures set out in ES Chapter 18: Landscape and visual impact, Volume 2 of the ES [APP-059] Section 18.7.</p> <p>The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works includes landscape plans (Appendix C National Grid Bolney Substation Extension Indicative Landscape Plan and Appendix D Onshore Oakendene onshore substation Indicative Landscape Plan). Requirement 8 and 9 of the Draft DCO [PEPD-009] secures approval of external appearance and materials for the substations.</p> <p>The DAS has been prepared in conjunction with the Outline Landscape and Ecological Management Plan (LEMP) [APP-232] which provides the proposed approach to the landscape design, habitat creation, and reinstatement for the works associated with the onshore cable corridor.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.9.23 | Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate | | 5.10.28 | Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the | <p>No off-site planting is proposed as part of the mitigation, although additional planting placed within and outside the proposed DCO Order Limits is expected to be achieved through the commitment to achieving Biodiversity Net Gain (ES Appendix 22.15: Biodiversity Net Gain Information, Volume 4 [APP-193]).</p> |

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| | | the impact when viewed from a more distant vista. | | | impact when viewed from a more distant vista | The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| 5.10 Land use including open space, green infrastructure & Green Belt Introduction | 5.10.2 | The Government's policy is to ensure there is adequate provision of high-quality open space (including green infrastructure) and sports and recreation facilities to meet the needs of local communities. Open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. Green infrastructure in particular will also play an increasingly important role in mitigating or adapting to the impacts of climate change. | | 5.11.6 | The government's policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities. Connecting people with open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living. | <p>During the construction phase, there is the potential for direct and short-term localised effects on human health and wellbeing from temporary and permanent land take and associated impacts on access to opportunities for physical activity and recreation through the use of Public Rights of Ways (PRoW) and open space. As such, an assessment of health effects from changes in access to opportunities for physical activity during construction is provided in ES Chapter 28: Population and human health, Volume 2 of the ES [APP-069]. The proposed commitments (as shown in Table 28-13 of the chapter) include mitigation of temporary impacts on land access within the proposed Order Limits (for example C-7, C-19, C-20 and C-27).</p> <p>Overall, on the basis that construction land take will generally be temporary in nature and where land is publicly accessible there will be comparable and accessible alternative resources to use for physical activity, the consequent magnitude of impact on health is assessed to be Negligible (not significant). Following the construction phase, there is no permanent land take associated with the onshore cable installation.</p> <p>The only permanent land take is associated with the proposed Oakendene substation (6.0ha) and Oakendene substation permanent access (0.22ha), and the existing National Grid Bolney substation extension works (0.63ha). However, this infrastructure does not impact PRoW or open space.</p> <p>As such, there is no potential for any associated impacts on access to opportunities for physical</p> |

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| | | | | | | <p>activity and recreation through the use of PRoW and open space.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Applicant's assessment | 5.10.5 | The ES (see Section 4.2) should identify existing and proposed ¹¹⁶ land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. | Applicant assessment | 5.11.8 | The ES (see Section 4.3) should identify existing and proposed ¹¹⁷ land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this. | <p>Consistent with NPS EN-1, the Applicant has undertaken an assessment of the effects of the Proposed Development in respect of ground conditions, contamination and land use, the results of which are reported within Chapter 17: Socio-economics, Volume 2; Chapter 20: Soils and agriculture, Volume 2; Chapter 24: Ground conditions, Volume 2; and Chapter 26: Water environment, Volume 2 of the ES [APP-058, APP-061, APP-065, APP-067]. A summary is provided in sections 4.7.123 - 4.7.152 of the Planning Statement [APP-036]. In terms of any risk posed by land contamination and how it is proposed to address this, most of the onshore cable corridor and onshore substation site are located on agricultural land or adjacent to existing highways where there is not anticipated to be a significant risk from the presence of land contamination. However, some potential sources of contamination are present. Embedded environmental measures within the Proposed Development will remove or reduce significant environmental effects as far as possible. Measures include the following: avoiding sensitive sites by the project footprint where practical; implementation of pollution prevention measures in the detailed CoCP, in accordance with the Outline CoCP [PEPD-033]; and ensuring that the land used for the Proposed Development is suitable for the proposed use with respect to the potential for soil and groundwater contamination and, where necessary, undertaking risk-based remediation during construction.</p> |

¹¹⁶ For example, where a planning application has been submitted.

¹¹⁷ For example, where a planning application has been submitted.

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| | 5.10.6 | Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements. | | 5.11.9 – 5.11.10 | Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicant’s should refer to the Green Infrastructure Framework ¹¹⁸ Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements. | <p>ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] concludes that no significant effects are identified for ground conditions during the construction, operation and maintenance, and decommissioning phases.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> <p>Extensive consultation has been undertaken as part of the Proposed Development, further details of which can be found in the submitted Consultation Report [APP-027]. Construction land take will generally be temporary in nature. The only exceptions to this are from any permanent features such as the proposed Oakdene substation and Oakdene substation permanent access, and the existing National Grid Bolney substation extension works – all of which would not PRoW or open space. The majority of temporary land take (96%) would be of agricultural use, which is not publicly accessible. The remaining temporary land take is predominantly on recreational land; while this is the case, trenchless techniques would be used to limit disturbance on recreational resources.</p> <p>The consideration of surplus land has not been considered to be necessary, given that any effects upon existing open space, sports and recreational buildings would only be temporary (during the construction phase). A number of embedded environmental measures are also proposed in order to reduce the impact of onshore construction activity on onshore recreation receptor users. These are outlined in the Commitments Register [REP1-015] and include C-1, C-18, C-19, C20, C-22, C-26, C-32, C-33, C-43, C-128, C-161 and C-162).</p> |

¹¹⁸ [Green Infrastructure Home \(naturalengland.org.uk\)](https://naturalengland.org.uk)

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| | | | | | | The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.10.7 | During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. | | 5.11.11 | During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. | Extensive pre-application discussions have been held as part of the Proposed Development with a number of local authorities. Further details of the responses received and how these have been addressed can be found in the submitted Consultation Report and appendices [APP-027 – APP-030] . |
| | 5.10.8 | Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination. | | 5.11.12 – 5.11.14 | Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5). Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed. Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination. ¹¹⁹ | At each stage of its development, the design of the proposals has taken into account information on soils including ALC grades, particularly where these confirm or indicate the likely presence of best and most versatile agricultural land. This information has been considered in the design to minimise the potential impact to soil resources and agricultural land through the embedded environmental measures presented in Table 20-17 of Volume 2, Chapter 20 of the ES: Soils and agriculture [APP-061] . The assessment of effects is outlined in Section 20.9, Section 20.10 and Section 20.11. A Soil and ALC Survey of land within the proposed Order Limits has been completed and the findings have been considered in the final design and used to update the assessment. Results of the survey are available for some land within the proposed Order Limits, as detailed in the baseline conditions in Section 20.6. Where practical, the design of the Proposed Development has sought to avoid areas of BMV agricultural land, as identified using the MAFF soils mapping and agricultural land classification system (1988). The nature of the onshore |

¹¹⁹ For guidance, see the Defra Code of practice for the sustainable use of soils on construction sites

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| | | | | | | <p>elements of the Proposed Development is such that following construction the majority of the soils and agricultural land within the proposed Order limits will be restored to baseline condition (with the exception of any permanent infrastructure). During the operation and maintenance phase there will be minimal change to the current land use.</p> <p>An Outline Soils Management Plan (SMP) [APP-226] has been prepared to provide measures to manage the impact on soil resources for the onshore element of the Proposed Development. Stage specific SMPs will be produced by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with the Outline SMP for approval of the relevant planning authority as part of the stage specific CoCP.</p> |
| | | | | 5.11.15 – 5.11.17 | <p>Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.</p> | <p>A range of environmental measures within the Commitments Register [REP1-015] outlined table 24-14 of ES Chapter 24 of Ground conditions, Volume 2 [APP-065] which relate to ground conditions are embedded as part of the Rampion 2 design to remove or reduce significant environmental effects as far as possible. These include ensuring that the land used for the Proposed Development is suitable for the proposed use with respect to the potential for soil and groundwater contamination and, where necessary, undertaking risk-based remediation during construction (C-71).</p> |
| | 5.10.9 | Applicants should safeguard any mineral resources on the proposed | | 5.11.19 | Applicants should safeguard any mineral resources on the proposed | ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] considers the potential |

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| | | <p>site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.</p> | | | <p>site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.</p> | <p>impact of the Proposed Development on minerals resources and MSAs in Sections 24.9 to 24.14.</p> <p>With regards to MSA, the assessment has found that there will be a significant effect on soft sand in the construction phase and operation and maintenance phase. In the context of WSCC Joint Mineral Local Plan Policy M9, it is identified that the soft sand MSA cannot be avoided, although the area potentially sterilised in the construction phase and operation and maintenance phase will be a very minor proportion of the overall area. There is a demonstrable overriding and urgent need for the Proposed Development, as demonstrated in Section 4.2 of the Planning Statement [APP-036]. There is no prospect of extracting the small area of sand resource (relative to the overall resource) prior to development and delivering a landform for a viable onshore cable corridor in this location. Furthermore, such an approach would not be environmentally feasible given the likely volume of sand that would need to be extracted and the volume of infill required to then provide a suitable landform for the onshore cable corridor. Additionally, there will be no barrier to a mineral's developer accessing the soft sand resource following decommissioning.</p> <p>ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] outlines that there are a number of active mineral sites around Storrington in close proximity to the onshore cable corridor which coincide with the minerals infrastructure Mineral Consultation Areas (MCA), which are based on MSA where proposals for non-mineral development should consult the Mineral Planning Authority (WSCC and SDNPA). These sites are however sufficiently distant from the onshore cable corridor or only close to access points for the onshore cable corridor such that there will be no effect on the viability of their operations. Rock Common Quarry lies immediately adjacent to the onshore cable</p> |

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| | | | | | | <p>corridor. However the areas of the quarry which lie closest to the cable corridor have all been previously worked and are now largely restored to woodland. Furthermore, there are two strategic minerals allocations (Ham Farm, Steyning; and Chantry Lane Extension) however these are both 500m away from the onshore cable corridor and no effect on their future viability has been identified.</p> <p>A range of environmental measures within the Commitments Register [REP1-015] which relate to ground conditions are embedded as part of the design of the Proposed Development to remove or reduce significant environmental effects as far as possible. This includes C-6 which advises that sensitive sites including mineral resources will be avoided by the temporary and permanent onshore project footprint where practical.</p> |
| | 5.10.13 | Where the project conflicts with a proposal in a development plan, the IPC should take account of the stage which the development plan document in England or local development plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document in England or local development plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it. | | | See 4.1.13 – 4.1.15 | There is no identified conflict with proposals in draft Development Plans within the area. |
| | | | | 5.11.27 | Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The applicant should assess the impacts | Losses of woodland and hedgerows are quantified and assessed in Section 22.9 of Volume 2, Chapter 22: of the ES Terrestrial ecology and nature conservation [APP-063] . This has been informed by an Arboricultural Impact Assessment [APP-194] . An Outline Landscape and Ecology Management Plan |

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| | | | | | <p>on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured</p> | <p>(LEMP) [APP-232] has also been submitted which provides the measures with regards to landscaping and habitat creation, reinstatement and monitoring and management of these measures. Several embedded environmental measures are proposed in order to reduce the impact to trees and woodlands, these are shown in the Commitment Register [REP1-015] e.g. C-285 and C-286. These measures advise that an Arboricultural Method Statement (AMS) will be produced based on a detailed design, containing a schedule of all proposed tree removal with annotated plans; a Tree Protection Plan detailing the specification and alignment of temporary physical protection measures that will be required for trees and hedgerows during the construction phase; and measures to ensure compliance with the AMS. In addition, mitigation planting for the removal of trees and hedgerow will be designed in accordance with the principles set out in the Arboricultural Impact Assessment [APP-194] and Outline Landscape and Ecological Management Plan (LEMP) [APP-232].</p> |
| | | | | 5.11.31 | <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p> | <p>The impact of the construction of Rampion 2 on access to and enjoyment of onshore recreation activity is assessed in Section 17.9 of Volume 2, Chapter 17 of the ES: Socio-economics [APP-058]. This includes PRoW, Access Land and public green spaces. Within the chapter it is advised that the construction of Rampion 2 on onshore recreation is anticipated to have a significant residual effect (i.e., post-embedded environmental measures) on the following receptors:</p> <ul style="list-style-type: none"> • Minor/moderate residual effect on PRoW users of 2208, 3514, 2211 and 2092; and • Moderate/major residual effect on PRoW users of 2092 and 2693. <p>RED has identified and committed to a number of embedded environmental measures aimed at reducing (and mitigating) the impact of</p> |

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| | | | | | | <p>construction activity on onshore recreation receptors (including C-1, C-18, C-19, C-20, C-22, C-26, C-32, C-33, C-43, C-128, C-161 and C-162 see Table 17-19).</p> <p>C-161 and C-162 in particular seek to manage PRoW in a way that minimises any closures or diversions. An Outline Public Rights of Way Management Plan has also been submitted [APP-230], which outlines the management measures for all Public Rights of Way (PRoW) and Open Access Land (OAL) impacted by the onshore elements of the Proposed Development. A stage-specific PRoWMP will be submitted on by the appointed Contractor(s) following the grant of the DCO and prior to the relevant stage of construction. This will be produced in accordance with this Outline PRoWMP [APP-230] for approval of the relevant highway authority, prior to the commencement of that stage of works.</p> |
| | 5.10.14 | The IPC should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the IPC determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location. | Secretary of State decision making | 5.11.32 – 5.11.33 | The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location | <p>No existing open space, sports and recreational buildings and land will be lost as part of the Proposed Development, and on the basis that only a small area of the overall land take would be affected, (96% of temporary land take would be agricultural use, which is not publicly accessible), this is not considered to be necessary. Where land is publicly accessible there will be comparable and accessible alternative resources to use.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | 5.10.15 | The IPC should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy. | | 5.11.34 | The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. | <p>At each stage of its development, the design of the Proposed Development has considered information on soils including ALC grades, particularly where these confirm or indicate the likely presence of best and most versatile agricultural land. This information has been utilised in the design to minimise the potential impact to soil resources and agricultural land through the embedded environmental measures presented in Table 20-17 of Volume 2, Chapter 20 of the ES: Soils and agriculture [APP-061]. The assessment of effects is outlined in Section 20.9, Section 20.10 and Section 20.11.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.10.16 | In considering the impact on maintaining coastal recreation sites and features, the IPC should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the IPC should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009. | | 5.11.35 | In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009. | <p>The impact on onshore recreational receptors including promoted walking routes and the England Coast Path (ECP) is considered in ES Chapter 17: Socio-economics, volume 2 of the ES [APP- 058]. The path of the ECP will be crossed by the offshore export cables at or near landfall. The crossing will be via horizontal directional drilling (HDD) in order to limit the overall impacts on reduced access. This measure is secured in Table 17-19 (embedded environmental measures) of ES Chapter 17: Socio-economics, volume 2 of the ES [APP-058] and the Commitments Register [APP-254] (See C-20).</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.11.38 | In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach. | <p>Washington Recreation Ground lies directly on the cable route but will be crossed by trenchless crossing. Jockey's Meadow is an abutting parcel of land recognised as public green space. This will also be crossed by trenchless crossing.</p> <p>There will be no direct impacts or loss of land within these spaces.</p> |

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| Mitigation | 5.10.19 | Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project. | Mitigation | 5.11.23 | Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction. | <p>A range of environmental measures within the Commitments Register [REP1-015] are embedded as part of the design of the Proposed Development to remove or reduce significant environmental effects on the existing use of the proposed site as far as possible. For example, C-11, C-259.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.10.20 | Where green infrastructure is affected, the IPC should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes. | | 5.11.24 | Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes. | <p>The impact of the construction of the Proposed Development on access to and enjoyment of onshore recreation activity is assessed in Section 17.9 of ES Chapter 17: Socio-economics, volume 2 of the ES [APP-058]. This includes PRoW, Access Land and public green spaces. Within the chapter it is advised that the construction of the Proposed Development on onshore recreation is anticipated to have a significant residual effect (i.e., post-embedded environmental measures) on the following receptors:</p> <ul style="list-style-type: none"> • Minor/moderate residual effect on PRoW users of 2208, 3514, 2211 and 2092; and • Moderate/major residual effect on PRoW users of 2092 and 2693. • <p>The Applicant has identified and committed to a number of embedded environmental measures aimed at reducing (and mitigating) the impact of construction activity on onshore recreation receptors (including C-1, C-18, C-19, C-20, C-22, C-26, C-32, C-33, C-43, C-128, C-161 and C-162 see Table 17-19 of ES Chapter 17: Socio-economics, volume 2 of the ES [APP-058]).</p> |

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| | | | | | | <p>C-161 and C-162 in particular seek to manage PRoW in a way that minimises any closures or diversions. An Outline Public Rights of Way Management Plan has also been submitted [APP-230], which outlines the management measures for all Public Rights of Way (PRoW) and Open Access Land (OAL) impacted by the onshore elements of the Proposed Development. A stage-specific PRoWMP will be submitted on by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with this Outline PRoWMP [APP-230] for approval of the relevant highway authority, prior to the commencement of that stage of works.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.10.21 | The IPC should also consider whether mitigation of any adverse effects on green infrastructure and other forms of open space is adequately provided for by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality and, where possible, at least as accessible. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections. | | 5.11.25 – 5.11.26 | The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility. Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections. | The Applicant will submit any such obligations as part of the Examination, where / if a need arises for such obligations. |
| | 5.10.22 | Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the IPC should ensure that appropriate | | 5.11.28 | Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that | ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] considers the potential impact of the Proposed Development on |

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| | | mitigation measures have been put in place to safeguard mineral resources. | | | appropriate mitigation measures have been put in place to safeguard mineral resources. | <p data-bbox="2160 396 2813 459">minerals resources and MSAs in Sections 24.9 to 24.14.</p> <p data-bbox="2160 499 2813 1356">With regards to MSA, the assessment has found that there will be a significant effect on soft sand in the construction phase and operation and maintenance phase. In the context of WSCC Joint Mineral Local Plan Policy M9, it is identified that the soft sand MSA cannot be avoided, although the area potentially sterilised in the construction phase and operation and maintenance phase will be a very minor proportion of the overall area. There is a demonstrable overriding and urgent need for the Proposed Development, as demonstrated in Section 4.2 of the Planning Statement [APP-036]. There is no prospect of extracting the small area of sand resource (relative to the overall resource) prior to development and delivering a landform for a viable onshore cable corridor in this location. Furthermore, such an approach would not be environmentally feasible given the likely volume of sand that would need to be extracted and the volume of infill required to then provide a suitable landform for the onshore cable corridor. Additionally, there will be no barrier to a mineral's developer accessing the soft sand resource following decommissioning.</p> <p data-bbox="2160 1392 2813 1948">ES Chapter 24: Ground conditions, Volume 2 of the ES [APP-065] outlines that there are a number of active mineral sites around Storrington in close proximity to the onshore cable corridor which coincide with the minerals infrastructure Mineral Consultation Areas (MCA), which are based on MSA where proposals for non-mineral development should consult the Mineral Planning Authority (WSCC and SDNPA). These sites are however sufficiently distant from the onshore cable corridor or only close to access points for the onshore cable corridor such that there will be no effect on the viability of their operations. Rock Common Quarry lies immediately adjacent to the onshore cable corridor. However the areas of the quarry which</p> |

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| | | | | | | <p>lie closest to the cable corridor have all been previously worked and are now largely restored to woodland. Furthermore, there are two strategic minerals allocations (Ham Farm, Steyning; and Chantry Lane Extension) however these are both 500m away from the onshore cable corridor and no effect on their future viability has been identified.</p> <p>A range of environmental measures within the Commitments Register [REP1-015] which relate to ground conditions are embedded as part of the design of the Proposed Development to remove or reduce significant environmental effects as far as possible. This includes C-6 which advises that sensitive sites including mineral resources will be avoided by the temporary and permanent onshore project footprint where practical.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.10.23 | Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas. | | 5.11.29 | Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas. | <p>Consistent with NPS EN-1, the Applicant has undertaken an assessment of the effects of the Proposed Development in respect of ground conditions, contamination and land use, the results of which are reported within Chapter 17: Socio-economics [APP-058], Volume 2; Chapter 20: Soils and agriculture [APP-061], Volume 2; Chapter 24: Ground conditions [APP-065], Volume 2; and Chapter 26: Water environment, Volume 2 of the ES [APP-067]. A summary is provided in Sections 4.7.123 - 4.7.152 of the Planning Statement [APP-036].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.10.24 | Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and | | 5.11.30 | Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and | The impact of the construction of the Proposed Development on access to and enjoyment of onshore recreation activity is assessed in |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | <p>horse riders. The IPC should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the IPC should consider what appropriate mitigation requirements might be attached to any grant of development consent.</p> | | | <p>horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> | <p>Section 17.9 of ES Chapter 17: Socio-economics, volume 2 of the ES [APP-058].</p> <p>This includes PRoW, Access Land and public green spaces. Within the chapter it is advised that the construction of the Proposed Development on onshore recreation is anticipated to have a significant residual effect (i.e., post-embedded environmental measures) on the following receptors:</p> <ul style="list-style-type: none"> • Minor/moderate residual effect on PRoW users of 2208, 3514, 2211 and 2092; and • Moderate/major residual effect on PRoW users of 2092 and 2693. <p>The Applicant has identified and committed to a number of embedded environmental measures aimed at reducing (and mitigating) the impact of construction activity on onshore recreation receptors (including C-1, C-18, C-19, C-20, C-22, C-26, C-32, C-33, C-43, C-128, C-161 and C-162 see Table 17-19 of ES Chapter 17: Socio-economics, volume 2 of the ES [APP-058]).</p> <p>C-161 and C-162 in particular seek to manage PRoW in a way that minimises any closures or diversions. An Outline Public Rights of Way Management Plan [APP-230], which outlines the management measures for all Public Rights of Way (PRoW) and Open Access Land (OAL) impacted by the onshore elements of the Proposed Development. A stage-specific PRoWMP will be submitted on by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with this Outline PRoWMP [APP-230] for approval of the relevant highway authority, prior to the commencement of that stage of works.</p> |

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| 5.11 Noise and vibration | 5.11.1 | Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government’s policy on noise is set out in the Noise Policy Statement for England ¹²⁰ . It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to assessment of impacts of vibration. | 5.12 Noise and vibration | 5.12.1 – 5.12.2 | Excessive noise can have wide-ranging impacts on the quality of human life and, health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government’s policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration. | <p>With regards to the National Trail, the Outline Public Rights of Way Management Plan [APP-230] includes a commitment (C-121) to manage in a way that minimises the closure or diversion. This is secured by Requirement 20 (1) (b) in the Draft DCO [PEPD-009] which includes for provision of “a diversion and closure scheme which is to include a programme for the temporary closure and re-opening of the National Trail comprising – (i) a plan for the sequencing of construction of the connection works; (ii) the management of any alternative routes during the temporary closure; and (iii) the re-opening of the National Trail upon the cessation of that part of the authorised development requiring the temporary closure of the National Trail.”</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> <p>ES Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] examines the likely significant effects that may be experienced as a result of noise and vibration due to the construction, operation and maintenance, and decommissioning of the Proposed Development.</p> <p>The Proposed Development has been assessed against the principal aims of the Noise Policy Statement for England. Further information can be found in section 21.8 of ES Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

¹²⁰ <http://www.defra.gov.uk/environment/quality/noise/npse/>

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | 5.11.2 | Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the IPC in accordance with the Biodiversity and Geological Conservation section of this NPS. | | 5.12.4 | Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production. | <p>Consideration of noise impacts on terrestrial ecology receptors is provided in Volume 2, Chapter 22 of the ES: Terrestrial ecology and nature conservation [APP-063]. Volume 2, Chapter 11 of the ES: Marine mammals [APP-052] considers underwater noise effects on marine mammals.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Applicant's assessment | 5.11.4 | <p>Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p> <ul style="list-style-type: none"> • a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise; • identification of noise sensitive premises and noise sensitive areas that may be affected; • the characteristics of the existing noise environment; • a prediction of how the noise environment will change with the proposed development; • in the shorter term such as during the construction period; • in the longer term during the operating life of the infrastructure; | Applicant assessment | 5.12.6 – 5.11.7 | <p>Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</p> <ul style="list-style-type: none"> • a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise • identification of noise sensitive receptors and noise sensitive areas that may be affected • the characteristics of the existing noise environment • a prediction of how the noise environment will change with the proposed development | <p>In terms of onshore noise, the factors included within these paragraphs of EN-1 are covered within the assessment section (section 21.9) of Volume 2, Chapter 21: Noise and vibration of the ES [PEPD-018].</p> <p>The assessment has identified a number of embedded measures in Table 21-20 which are secured through the provision of the Outline Code of Construction Practice (CoCP) [PEPD-033]. These measures will ensure noise and vibration is managed appropriately to avoid significant effect.</p> <p>With regards to offshore noise, a detailed assessment of the potential underwater noise during the construction and operation of the Proposed Development is provided in Volume 4 Appendix 11.3 Underwater noise assessment technical report [APP-149]. Volume 4 Appendix 11.2 Marine mammal quantitative underwater noise impact assessment [APP-148] provides the quantitative underwater noise impact assessment for marine mammals from pile driving. The results of these assessments have informed ES Chapter 11: Marine mammals, volume 2 [REP1-004] which sets out</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | <ul style="list-style-type: none"> at particular times of the day, evening and night as appropriate. an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and measures to be employed in mitigating noise. <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p> | | | <ul style="list-style-type: none"> in the shorter term, such as during the construction period in the longer term, during the operating life of the infrastructure at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise ¹²¹ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p> | <p>a number of embedded environmental measures at table 11-14.</p> <p>A Draft piling marine mammal mitigation protocol [APP-236] and Draft Unexploded Ordnance (UXO) clearance marine mammal mitigation protocol (MMMP) [APP-237] have also been submitted which seek to reduce the impact of underwater noise. The DCO Application does not seek approval for UXO clearance. These measures will be secured through draft DCO requirements [PEPD-009], dML conditions or the application for UXO clearance works Marine Licence.</p> <p>The Proposed Development can be considered to be in accordance with these paragraphs of 2011 EN-1 and 2024 EN-1.</p> |
| | 5.11.5 | The noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other | | 5.12.8 | Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic | The construction noise assessment within Section 21.9 of ES Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018] covers all ancillary activities that might result in a significant adverse noise effect. |

¹²¹ Noise below ground level.

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| | | forms of transportation, should also be considered | | | movements, or other forms of transportation. | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.11.6 | Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards ¹²² and other guidance. Further information on assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards ¹²³ and other guidance which also give examples of mitigation strategies. | | 5.12.9 | Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards ¹²⁴ and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards ¹²⁵ and other guidance which also give examples of mitigation strategies. | <p>The standards and guidance used to assess the Proposed Development are set out in section 21.2 of ES Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018]. Section 21.8 describes how these standards have been used to assess the noise and vibration effects.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.11.7 | The applicant should consult EA and Natural England (NE), or the Countryside Council for Wales (CCW), as necessary and in particular with regard to assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account | | 5.12.10 | Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological | The Applicant recognises that some issues may be subject to separate regulatory regimes including environmental permitting. The Other Consents and Licences document submitted with the DCO application [APP-033] identifies the other consents and licences and provides details of when they will be required. Extensive stakeholder engagement has been carried out for Rampion 2, including with the bodies referred to. Consideration of noise impacts on terrestrial ecology receptors is provided in ES Chapter 22: terrestrial ecology and nature conservation, Volume 2 of the ES [APP-063] . The underwater noise assessment is included in ES Chapter 11: Marine mammals, Volume 2 [REP1-004] at |

¹²² For example BS 4142: BS 6472 and BS 8233

¹²³ For example BS 5228.

¹²⁴ For example BS 4142, BS 6472 and BS 8233.

¹²⁵ 4 For example BS 5228.

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | assessment. The seasonality of potentially affected species in nearby sites may also need to be considered. | <p>Appendix 11.3 Underwater noise assessment technical report [APP-149].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.12.11 | In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities. | <p>Volume 2, Chapter 11 of the ES: Marine mammals [APP-052] and the underwater noise assessment technical report [APP-149] considers underwater noise effects on marine mammals.</p> |
| | | | | 5.12.12 | Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation. | <p>A detailed impact assessment of onshore noise and embedded environmental measures are set out within ES Chapter 21: Noise and vibration, Volume 2 of the ES [PEPD-018]. Embedded environmental measures for reducing noise and vibration effects are described in Section 21.7 and set out in table 21-20. An Outline Code of Construction Practice (CoCP) [PEPD-033] has been submitted, which secures the embedded environmental measures that will apply to all activities associated with the construction of the onshore elements of the Proposed Development. It includes general principles on site layout, working hours, lighting and emergency planning procedures. It also includes topic specific environmental measures to be implemented during the construction of the Proposed Development. Stage specific CoCPs will be produced by the appointed Contractor(s) following the grant of the DCO and prior to the relevant stage of construction. This will be produced in accordance with this Outline CoCP for approval of the relevant planning authority, prior to the commencement of that stage of works.</p> <p>With regards to offshore noise, a detailed assessment of the potential underwater noise during the construction and operation of the Proposed Development is provided in Volume 4</p> |

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| | | | | | | <p>Appendix 11.3 Underwater noise assessment technical report [APP-149]. Volume 4 Appendix 11.2 Marine mammal quantitative underwater noise impact assessment [APP-148] provides the quantitative underwater noise impact assessment for marine mammals from pile driving. The results of these assessments have informed ES Chapter 11: Marine mammals, volume 2 [REP1-004] which sets out a number of embedded environmental measures at table 11-14. A Draft piling marine mammal mitigation protocol [APP-236] and Draft Unexploded Ordnance (UXO) clearance marine mammal mitigation protocol (MMMP) [APP-237] have also been submitted which seek to reduce the impact of underwater noise. These measures will be secured through DCO requirements, dML conditions or the application for UXO clearance works Marine Licence.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-1.</p> |
| IPC decision making | 5.11.8 | The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. | Mitigation | 5.12.15 | The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission). | <p>The design of the Proposed Development includes embedded environmental measures for reducing noise and vibration effects which are described in Section 21.7 of ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018] and set out in Table 21-20.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.12.16 | A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy | Section 21.2 of Volume 2, Chapter 21: Noise and vibration of the ES [PEPD-018] identifies the legislation, policy and other documentation that has informed the assessment of effects with respect to noise and vibration. Table 21-2 lists the national planning policy relevant to the assessment of the effects on noise and vibration |

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| | | | | | Statement for England ¹²⁶ , the NPPF, and the government’s associated planning guidance on noise. In Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government’s Noise and Soundscape Action Plan. | receptors, and includes the NPS, the NPPF and NPPG. PPW, TANs and the WG Noise and Soundscape Action Plan are not considered to be relevant, given that Rampion 2 is located within England. |
| | 5.11.9 | <p>The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims:</p> <ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life from noise; • mitigate and minimise other adverse impacts on health and quality of life from noise; and • where possible, contribute to improvements to health and quality of life through the effective management and control of noise. | Secretary of State decision making | 5.12.17 | <p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> • avoid significant adverse impacts on health and quality of life from noise • mitigate and minimise other adverse impacts on health and quality of life from noise • where possible, contribute to improvements to health and quality of life through the effective management and control of noise. | <p>ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018] has assessed the likely significant effects that may be experienced as a result of noise and vibration due to the Proposed Development. A range of environmental measures within the Commitments Register [REP1-015] which relate to noise and vibration are embedded as part of the design of the Proposed Development to remove or reduce significant environmental effects as far as possible. Examples of these embedded environmental measures include the following:</p> <ul style="list-style-type: none"> • no blasting is anticipated to be required and trenchless crossings will be undertaken by non-impact methods (C-10); • Core working hours for construction of the onshore components will be 0700 to 1900 Monday to Friday, and 0800 to 1300 on Saturdays, apart from specific circumstances to be set out and agreed in the Outline Code of Construction Practice (CoCP) [PEPD-033] C-22); • Where noisy activities are planned and may cause disturbance, the use of mufflers, acoustic barriers and other suitable solutions will be applied (C-26); • Implementation of noise mitigation and best practice techniques secured via the Outline CoCP [PEPD-033] which sets out the standards and procedures to which a developer or contractor must adhere in order to manage the potential |

¹²⁶ [Noise policy statement for England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policy-statements/noise-policy-statement-for-england)

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| | | | | | | <p>environmental impacts of construction works (C-33);</p> <ul style="list-style-type: none"> • Review of construction noise assessments during detailed design with potential updates to the Noise and Vibration Management Plan (NVMP) and Section 61 applications made to the relevant Local Planning Authority (C-263); and • Rating Level limits for the operational substation based on identified receptor's locations representing the nearest residential premises (C-231). <p>Significant effects were identified without mitigation from the operation of the substation and the potential for significant effects of vibration from heavy vehicular traffic associated with the construction. Mitigation has been identified reducing the level of effect such that no significant residual effects have been identified in relation to noise and vibration from construction, operation and maintenance and decommissioning of the Proposed Development.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.11.10 | When preparing the development consent order, the IPC should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. | | 5.12.18 | When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development. | <p>The design of the Proposed Development includes embedded environmental measures for reducing noise and vibration effects which are described in Section 21.7 of ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018] (Table 21.20) and Section 11.7 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004] (Table 11-14). An Outline Code of Construction Practice (CoCP) [PEPD-033] has been submitted, which secures the embedded environmental measures that will apply to all activities associated with the construction of the onshore elements of the Proposed Development. A Draft piling marine mammal mitigation protocol [APP-236] and Draft Unexploded Ordnance (UXO) clearance marine mammal</p> |

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| | | | | | | <p>mitigation protocol (MMMP) [APP-237] have also been submitted which seek to reduce the impact of underwater noise. These measures will be secured through DCO requirements, dML conditions or the application for UXO clearance works Marine Licence.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Mitigation | 5.11.11 | <p>The IPC should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the IPC may wish to impose requirements. Any such requirements should take account of the guidance set out in Circular 11/95 (see Section 4.1) or any successor to it.</p> | Mitigation | 5.12.13 | <p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> | <p>For onshore noise, a detailed impact assessment and embedded environmental measures are set out within ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018]. Embedded environmental measures for reducing noise and vibration effects are described in Section 21.7 and set out in Table 21-20. An Outline Code of Construction Practice (CoCP) [PEPD-033] has been submitted, which secures the embedded environmental measures that will apply to all activities associated with the construction of the onshore elements of the Proposed Development. It includes general principles on site layout, working hours, lighting and emergency planning procedures. It also includes topic specific environmental measures to be implemented during the construction of the Proposed Development. Stage specific CoCPs will be produced by the appointed Contractor(s) following the grant of the DCO and prior to the relevant stage of construction. This will be produced in accordance with this Outline CoCP for approval of the relevant planning authority, prior to the commencement of that stage of works.</p> <p>With regards to offshore noise, a detailed assessment of the potential underwater noise during the construction and operation of the Proposed Development is provided in Volume 4 Appendix 11.3 Underwater noise assessment technical report [APP-149]. Volume 4 Appendix 11.2 Marine mammal quantitative</p> |

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| | | | | | | <p>underwater noise impact assessment [APP-148] provides the quantitative underwater noise impact assessment for marine mammals from pile driving. The results of these assessments have informed ES Chapter 11: Marine mammals, volume 2 [REP1-004] which sets out a number of embedded environmental measures at table 11-14. A Draft piling marine mammal mitigation protocol [APP-236] and Draft Unexploded Ordnance (UXO) clearance marine mammal mitigation protocol (MMMP) [APP-237] have also been submitted which seek to reduce the impact of underwater noise. These measures will be secured through DCO requirements, dML conditions or the application for UXO clearance works Marine Licence.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.11.12 – 5.11.13 | <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> • engineering: reduction of noise at point of generation and containment of noise generated; • lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings; and • administrative: restricting activities allowed on the site; specifying acceptable noise limits; and taking into account seasonality of wildlife in nearby designated sites. <p>In certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the IPC to consider</p> | | 5.12.14 | <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> • engineering: reducing the noise generated at source and/or containing the noise generated • lay-out: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings • administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, | <p>A detailed impact assessment and embedded environmental measures are set out within ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018]. Embedded environmental measures for reducing noise and vibration effects are described in Section 21.7 and set out in Table 21-20. An Outline Code of Construction Practice (CoCP) [PEPD-033] has been submitted, which secures the embedded environmental measures that will apply to all activities associated with the construction of the onshore elements of the Proposed Development. It includes general principles on site layout, working hours, lighting and emergency planning procedures. It also includes topic specific environmental measures to be implemented during the construction of the Proposed Development. Stage specific CoCPs will be produced by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with this Outline CoCP for approval</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | requiring noise mitigation through improved sound insulation to dwellings. | | | <p>differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</p> <ul style="list-style-type: none"> insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building. | <p>of the relevant planning authority, prior to the commencement of that stage of works.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| 5.12 Socio-economic Applicant's assessment | 5.12.2 | Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2) | 5.13 Socio-Economic Impacts Applicant assessment | 5.13.2 | Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3). | <p>The assessment in ES Chapter 17: Socioeconomics, Volume 2 [APP-058] considers impacts at local and regional levels.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.13.3 | The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities. | Extensive consultation and engagement has been undertaken in relation to socio-economics, as set out in section 17.3 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] . This includes correspondence with several local authorities. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.12.3 | <p>This assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> the creation of jobs and training opportunities; the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; effects on tourism; the impact of a changing influx of workers during the different construction, operation and | | 5.13.4 | <p>The applicant's assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero | <p>The creation of jobs and training opportunities, and the Proposed Developments impact on the volume and value of tourism in Sussex is considered in Sections 17.9, 17.10 and 17.11 of ES Chapter 17: Socio-economics, Volume 2 [APP-058].</p> <p>Low carbon industries are involved in the development and operation of the Proposed Development; however this is not quantified in the assessment due to the difficulty in defining the sector. Indirect impacts are quantified in the assessment of economic benefits in sections 17.9 and 17.10 of ES Chapter 17: Socio-economics, Volume 2 [APP-058].</p> |

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| | | <p>decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and</p> <ul style="list-style-type: none"> • cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region. | | | <ul style="list-style-type: none"> • the contribution to the development of low-carbon industries at the local and regional level as well as nationally • the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities • any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains • effects (positive and negative) on tourism and other users of the area impacted • the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development | <p>The Proposed Developments impact on population, the need for housing and local communities has been scoped out of the assessment on the basis that impacts are likely to be negligible and any effects spread wider than the immediate area. This has been agreed with the Planning Inspectorate through consultation and engagement.</p> <p>Cumulative effects of the Proposed Development in combination with other developments are set out in section 17.12 of ES Chapter 17: Socio-economics, Volume 2 [APP-058]. An Outline Skills and Employment Strategy [PEPD-037] has been submitted as part of the DCO. This document provides the basis for a final Skills and Employment Strategy to underpin the development. The oSES sets out the approach that will be adopted by the Applicant, with the aim of promoting skills and employment opportunities for local economic benefit within the Sussex area. Compliance with the oSES is secured through requirement 33 of the draft DCO [PEPD-009].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | | <ul style="list-style-type: none"> cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region | |
| | 5.12.4 | Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies | | 5.13.5 | Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies. | <p>The current socio-economic baseline conditions against which the effects of the Proposed Development are considered are presented in Section 17.6 of ES Chapter 17: Socio-economics, Volume 2 [APP-058].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.12.5 | Socio-economic impacts may be linked to other impacts, for example the visual impact of a development is considered in Section 5.9 but may also have an impact on tourism and local businesses. | | 5.13.6 | Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain. | <p>Both direct and indirect impacts have been assessed in Sections 17.9 and 17.10 of ES Chapter 17: Socio-economics, Volume 2 [APP-058]. Analysis of local supply chain capability undertaken as part of the baseline analysis (see Section 17.6) and the development of construction and sourcing assumptions (see Appendix 17.2: Socio-economics cost and sourcing report, Volume 4 of the ES, [APP-164]) shows that there are no Tier-1 major plant suppliers (e.g. WTG or foundations) and despite the efforts of the existing Rampion 1 project there is not yet an established supply chain cluster in Sussex.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | 5.13.5 | Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies. | The current socio-economic baseline conditions against which the effects of Rampion 2 are considered are presented in Section 17.6 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] . |
| | | | | 5.13.6 | Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain. | Both direct and indirect impacts have been assessed in Sections 17.9 and 17.10 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] . Analysis of local supply chain capability undertaken as part of the baseline analysis (see Section 17.6) and the development of construction and sourcing assumptions (see Appendix 17.2: Socio-economics cost and sourcing report, Volume 4 of the ES [APP-164]) shows that there are no Tier-1 major plant suppliers (e.g. WTG or foundations) and despite the efforts of the existing Rampion 1 project there is not yet an established supply chain cluster in Sussex. |
| | | | | 5.13.7 | Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required. | The effects generated during the construction and decommissioning phases of Rampion 2 will be temporary and over a relatively short period. Whilst the investment will support employment in construction and manufacturing activity, most of these jobs are likely to be located outside Sussex, particularly given that the development is not assumed to use a local port for the majority of construction activity (although a local construction management port will be used). Therefore, it is not expected that there would be a large influx of labour into the area during the construction phase. |
| IPC decision making | 5.12.6 | The IPC should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the IPC considers to be both relevant and important to its decision. | Secretary of State decision making | 5.13.9 | The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. | ES Chapter 17: Socio-economics, Volume 2 [APP-058] examines the likely significant effects on socio-economics that may be experienced as a result of the Proposed Development. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | 5.12.7 | The IPC may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS). | | 5.13.10 | The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS). | ES Chapter 17: Socio-economics, Volume 2 [APP-058] examines the likely significant effects on socio-economics that may be experienced as a result of the Proposed Development. A review of literature and existing datasets has been undertaken to establish the socio-economic baseline, which is set out in Section 17.6 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] and Appendix 17.3: Socio-economics technical baseline, Volume 4 of the ES [APP-165] . Information has been gathered in more detail through use of site walkover-surveys of public rights of way (PRoW) and publicly accessible land within the DCO limits and consultation with a range of local organisations. As such, the assessment of socio-economic impacts is based on a comprehensive and detailed review of available evidence. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.12.8 | The IPC should consider any relevant positive provisions the developer has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts. | | 5.13.11 | The Secretary of State should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts. | As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on socio-economics. Table 17-19 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] sets out the relevant embedded environmental measures within the design and how these affect the socio-economics assessment. Of particular relevance are: <ul style="list-style-type: none"> • C-34 – which states that the Applicant will identify opportunities for companies based or operating in the region to access supply chain for the Proposed Development; and • C-35 – which states that the Applicant will work with local partners and seek to maximise the ability of local people to access employment opportunities associated with the construction and operation of the Proposed Development. |

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| | | | | | | <p>These measures aim to maximise the benefits of construction, operation and maintenance and decommissioning activity on the local economy including the local employment benefits. In addition, an Outline Skills and Employment Strategy [PEPD-037] has been submitted as part of this application. This document provides the basis for a final Skills and Employment Strategy to underpin the development. The oSES sets out the approach that will be adopted by the Applicant, with the aim of promoting skills and employment opportunities for local economic benefit within the Sussex area.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.13.12 | <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p> | <p>An Outline Skills and Employment Strategy [PEPD-037] has been submitted as part of the DCO application. This document provides the basis for a final Skills and Employment Strategy to underpin the development. The oSES sets out the approach that will be adopted by the Applicant, with the aim of promoting skills and employment opportunities for local economic benefit within the Sussex area.</p> |
| | 5.12.9 | <p>The IPC should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.</p> | Mitigation | 5.13.8 | <p>The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.</p> | <p>As part of the Rampion 2 design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on socio-economics. Table 17-19 of ES Chapter 17: Socio-economics, Volume 2 [APP-058] sets out the relevant embedded environmental measures within the design and how these affect the socio-economics assessment.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| 5.13 Traffic and transport Applicant's assessment | 5.13.3 | If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport assessment, using the NATA/WebTAG 127 methodology stipulated in Department for Transport guidance 128, or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation. | 5.14 Traffic and transport Applicant assessment | 5.14.5 | If a project is likely to have significant transport implications, the applicant's ES (see Section 4.3) should include a transport appraisal. The DfT's Transport Analysis Guidance (TAG) 129 and Welsh Governments WeITAG 130 provides guidance on modelling and assessing the impacts of transport schemes. | <p>Appendix 23.2: Traffic Generation Technical Note (TGTN), Volume 4 of the ES [APP-197] is submitted as part of the DCO Application in accordance with guidance and best practice. The scope of Appendix 23.2: Traffic Generation Technical Note (TGTN), Volume 4 of the ES [APP-197] has been discussed and agreed with West Sussex County Council (WSSCC) and National Highways. An Outline Construction Traffic Management Plan (CTMP) [PEPD-035a], Outline Public Rights of Way Management Plan (PROWMP) [APP-230], and Appendix 23.1: Abnormal Indivisible Loads assessment, Volume 4 of the ES [APP-196] are also submitted as part of the DCO Application.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> | |
| | | | | 5.14.6 | National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted. | | As part of Rampion 2, considerable stakeholder engagement has been undertaken in relation to highways, further details of which are provided at section 23.3 of Volume 2, Chapter 23: Transport of the ES [APP-064] . This includes with several County Councils and National Highways. |
| | 5.13.4 | Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve | | 5.14.7 | The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve | | An Outline Construction Workforce Travel Plan has been submitted with the DCO application [APP-229] which sets out the principles for managing the impact of travel by construction personnel during the construction phase of the Proposed Development (the |

¹²⁷ WeITag in Wales

¹²⁸ Guidance on transport assessments is at <http://www.dft.gov.uk/pgr/regional/transportassessments/guidanceonta> and (for Wales) at: <http://wales.gov.uk/topics/transport/publications/weltag/?lang=en>

¹²⁹ [Transport analysis guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444444/transport-analysis-guidance.pdf)

¹³⁰ <https://gov.wales/welsh-transport-appraisal-guidance-weltag>

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| | | access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. | | | access by active, public and shared transport to: <ul style="list-style-type: none"> • reduce the need for parking associated with the proposal; • contribute to decarbonisation of the transport network; and • improve user travel options by offering genuine modal choice. | Proposed Development). An Outline Operational Travel Plan has also been submitted [APP-227] which has been prepared to manage impacts of travel by operational personnel to the onshore substation at Oakendene and travel relating to the operation and maintenance of the Proposed Development. Where appropriate, it is expected that movement by sustainable means will be facilitated and encouraged. Sustainable links such as bus stops and rail lines are discussed in these documents. As such, the Proposed Development is considered to comply with these paragraphs of 2011 and 2024 EN-1. |
| | 5.13.5 | If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued ¹³¹ in England ¹³² which explains the circumstances where this may be possible, although the Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time | | | | Trip consolidation, sustainable travel and other demand management measures are discussed in the Outline CWTP [APP-229] and Outline Operational Travel Plan [APP-227] . Additional transport infrastructure is limited to the provision of a number of mostly temporary construction accesses along the onshore cable corridor. Accesses will be removed where appropriate and where agreed with landowners, and the land reinstated following completion of temporary construction activities. Some accesses such as the access to the onshore landfall site and onshore substation will be retained. An Outline CTMP [PEPD-035a] is provided alongside the DCO Application with further details on access. |
| | | | | 5.14.8 | The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports). | The objectives of the Delivery Management System for Rampion 2 are to minimise the number of construction vehicles on the road, and make sure construction vehicles do not exceed any agreed restrictions, for example peak period traveling through certain towns / villages / junctions. This is included in the Outline CTMP [PEPD-035a] . |
| | | | | 5.14.9 | If additional transport infrastructure is needed or proposed, it should always | Trip consolidation, sustainable travel and other demand management measures are discussed |

¹³¹ <http://www.dft.gov.uk/pgr/regional/fundingtransportinfrastructure/>

¹³² Please note that no separate guidance has been issued for Wales. The Welsh Assembly Government discusses funding arrangements with developers on a project-specific basis.

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| | | | | | include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision. | in the Outline CWTP [APP-229] and Outline Operational Travel Plan [APP-227] . Additional transport infrastructure is limited to the provision of a number of mostly temporary construction accesses along the onshore cable corridor. Accesses will be removed where appropriate and where agreed with landowners, and the land reinstated following completion of temporary construction activities. Some accesses such as the access to the onshore landfall site and onshore substation will be retained. An Outline CTMP [PEPD-035a] is provided alongside the DCO Application with further details on access. |
| | | | | 5.14.10 | Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time. | Additional transport infrastructure is limited to the provision of a number of mostly temporary construction accesses along the onshore cable corridor. Accesses will be removed where appropriate and where agreed with landowners, and the land reinstated following completion of temporary construction activities. Some accesses such as the access to the onshore landfall site and onshore substation will be retained. An Outline CTMP [PEPD-035a] is provided alongside the DCO Application with further details on access. |
| | | | | 5.14.12 | If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles. | Trip consolidation, sustainable travel and other demand management measures are discussed in the Outline CWTP [APP-229] and Outline Operational Travel Plan [APP-227] . No new operational road infrastructure is proposed; however, accesses and car parks are proposed as part of the Proposed Development. |

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| | | | | 5.14.13 | Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate ¹³³ | The needs of freight traffic are considered within the Outline Code of Construction Practice [PEPD-033] . |
| IPC decision making | 5.13.6 | A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the IPC should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts. | | 5.14.18 – 5.14.19 | A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. | <p>ES Chapter 23: Transport, volume 2 [APP-064] presents the results of the assessment of the likely significant effects of the Proposed Development with respect to transport. In addition, as part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on transport. Table 23-28 of ES Chapter 23: Transport, volume 2 [APP-064] sets out the relevant embedded environmental measures within the design and how these affect the assessment of transport effects. The Chapter concludes that the Proposed Development will not result in significant effects.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.13.7 | Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure. | | 5.14.20 – 5.14.21 | Development consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure. The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway | <p>See response to 5.13.6 of 2011 NPS EN-1 above.</p> <p>See response to 5.14.18 – 5.14.19 of 2024 NPS EN-1 above.</p> |

¹³³ See Future of Freight, DfT, June 2022 at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1085917/future-of-freight-plan.pdf

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision. | |
| Mitigation | 5.13.8 5.13.9 | – Where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. The IPC should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures. | | 5.14.11 5.14.15 | <p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> • reduce the need to travel by consolidating trips, • locate development in areas already accessible by active travel and public transport • provide opportunities for shared mobility, • re-mode by shifting travel to a sustainable mode that is more beneficial to the network, • retime travel outside of the known peak times, • reroute to use parts of the network that are less busy. <p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> | Trip consolidation and other demand management measures will be implemented and are discussed in the Outline CWTP [APP-229] and Outline Operational Travel Plan [APP-227] . The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.13.10 | Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective. | | 5.14.16 | Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application. | The transport of Abnormal Indivisible Loads (AILs) has been assessed within Appendix 23.1: Abnormal Indivisible Loads assessment, Volume 4 [APP-196] . AILs are expected to cause minimal disruption. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |

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| | 5.13.11 | <p>The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force. | | 5.14.14 | <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force. | <p>ES Chapter 23: Transport, Volume 2 [APP-064] presents the results of the assessment of the likely significant effects of the Proposed Development with respect to transport, including by HGV's. As part of the design process of the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on transport. Table 23-28 of ES Chapter 23: Transport, Volume 2 [APP-064] sets out the relevant embedded environmental measures within the design and how these affect the assessment of transport effects. This includes an Outline Construction Traffic Management Plan (CTMP) [PEPD-035a], which has been developed and sets out the approach to managing and minimising the impact of the construction traffic on the transport network. Within the CTMP, proposed heavy goods vehicle (HGV) routes are identified and restrictions on HGV timing are proposed to avoid adverse impact on sensitive receptors. The design of the construction works will avoid the risk of HGV parking on the surrounding highway. The transport of abnormal indivisible loads (AILs) has been subject to assessment within the Appendix 23.1: Abnormal Indivisible Loads assessment, Volume 4 of the ES [APP-196] and is expected to result in minimal disruption.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.13.12 | <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the IPC of any obligations or requirements Withdrawn needed to secure the mitigation.</p> | | 5.14.17 | <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the Secretary of State of any obligations or requirements needed to secure the mitigation.</p> | <p>The Applicant has not suggested that any obligations or requirements that would make the proposal economically unviable.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| 5.14. Waste management Introduction | 5.14.2 | Sustainable waste management is implemented through the “waste hierarchy”, which sets out the priorities that must be applied when managing waste ¹³⁴ : a) prevention; b) preparing for reuse; c) recycling; d) other recovery, including energy recovery; and e) disposal. | 5.15 Resource and Waste Management | 5.15.2 | Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> • prevention • preparing for reuse • recycling • other recovery, including energy recovery disposal | An Outline Site Waste Management Plan (SWMP) [APP-225] accompanies the DCO application. This document advises that the waste hierarchy will be referred to and considered across the delivery of the Proposed Development, Outline SWMP and stage specific SWMPs. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.14.3 | Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome. | | 5.15.3 | Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome. | As set out within the Outline Site Waste Management Plan (SWMP) [APP-225] , following the detailed design stage, the types and quantities of waste will be identified that the Proposed Development will produce. Site staff will set realistic targets for how much of that waste can be reused and recycled, to ensure only the minimum volumes will require disposal via landfill or other options. In addition, paragraph 7.6 of the SWMP states that the landfilling of waste will be avoided. The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 5.14.4 | All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA’s Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant EP requirements. | | 5.15.4 | All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA’s Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements. | The applicant recognises that some issues may be subject to separate regulatory regimes including environmental permitting. The Other Consents and Licences [APP-033] document submitted with the DCO application identifies the other consents and licences and provides details of when they will be required. An Outline Site Waste Management Plan (SWMP) [APP-225] accompanies the DCO application and outlines the approach to ensuring that the processes are in place to secure required Environmental Permits related to waste. |

¹³⁴ The Waste Hierarchy is set out in Article 16 of the Waste Framework Directive 2008 and The Waste (England and Wales) Regulations 2011.

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| | | | | | | The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1. |
| Applicant's assessment | 5.14.6 | The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan. The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome. | Applicant assessment | 5.15.6 – 5.15.10 | <p>Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.</p> <p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p> <p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p> <p>The applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for and</p> | <p>An Outline Site Waste Management Plan (SWMP) [APP-225] accompanies the DCO application. This Outline SWMP includes information on the measures to be used to reduce waste generation and the persons responsible for ensuring this takes place. It also includes procedures to be followed when transferring waste. Stage specific SWMPs will be produced by the appointed Contractor(s) following the grant of the Development Consent Order (DCO) and prior to the relevant stage of construction. This will be produced in accordance with this Outline SWMP for approval of the relevant planning authority as part of the detailed stage specific CoCP prepared in accordance with the Outline Code of Construction Practice (CoCP) [PEPD-033].</p> <p>The Proposed Development is an offshore wind generating station that would not compete with government waste objectives.</p> <p>The Proposed Development is therefore in accordance with the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

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| | | | | | <p>should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> | |
| | | | | <p>5.5.11 – 5.5.12</p> | <p>If the applicant’s assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process.</p> <p>The UK is committed to moving towards a more ‘circular economy’. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> | <p>Offshore waste is considered in the Site Characterisation Report [APP-031] which deals with the disposal of dredged material from sandwave clearance and drill arisings from foundation installation. The Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to waste management. The Final PEMP will set out details of waste management and disposal arrangements for offshore waste. This is secured in the Deemed Marine License (DML) requirement 11 within the draft DCO [PEPD-009].</p> <p>The Outline SWMP [APP-225] includes information on the measures to be used to reduce waste generation, encourage re-use and recycling of waste, and the persons responsible for ensuring this takes place.</p> |
| | | | | <p>5.5.13</p> | <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p> | <p>The Outline SWMP [APP-225] seeks to ensure compliance with duty of care requirements in storing and transporting wastes in a safe manner using authorised waste carriers. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

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| IPC decision making | 5.14.7 | <p>The IPC should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. It should be satisfied that:</p> <ul style="list-style-type: none"> any such waste will be properly managed, both on-site and off-site; the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome. | Secretary of State decision making | 5.5.15 | <p>The Secretary of State should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> any such waste will be properly managed, both on-site and off-site. the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent for recovery or disposal, except where that is the best overall environmental outcome. | <p>An Outline Site Waste Management Plan (SWMP) [APP-225] accompanies the DCO application. This Outline SWMP includes information on the measures to be used to reduce waste generation and the persons responsible for ensuring this takes place. It also includes procedures to be followed when transferring waste. This includes consideration of hazardous waste. Hazardous waste is transferred to the waste contractor using a Consignment Notes (CN), the CN will be provided by the waste contractor and should be fully completed detailing the following:</p> <ul style="list-style-type: none"> consignment details; description of the waste; how waste is contained or packaged; quantity of the waste; place, date, and time of transfer; name and address of all parties; details of the permit, licence or exemption of the person receiving the waste; EWC code for the waste involved; declaration that you have applied the waste management hierarchy; and SIC code of the person transferring the waste <p>All CNs should be kept for at least three years and stored, these should also be accompanied by a consignee return (confirmation that this waste was received by approved sub-contractor).</p> <p>The Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to offshore waste management. The Final PEMP will set out details of waste management and disposal arrangements for offshore waste. This is secured in the Deemed Marine License (DML) requirement 11 within the draft DCO [PEPD-009].</p> |

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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-1 and 2024 NPS EN-3. |
| | 5.14.8 | Where necessary, the IPC should use requirements or obligations to ensure that appropriate measures for waste management are applied. The IPC may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent | | 5.5.16 – 5.5.17 | Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent. | <p>It is proposed by the Applicant that stage specific SWMPs be produced by the appointed Contractor(s) following the grant of the DCO and prior to the relevant stage of construction. The stage specific SWMPs will be produced in accordance with the Outline SWMP [APP-225] for approval of the relevant planning authority as part of the detailed stage specific Code of Construction Practice (CoCP).</p> <p>The Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to offshore waste management. The Final PEMP will set out details of waste management and disposal arrangements for offshore waste. This is secured in the Deemed Marine License (DML) requirement 11 within the draft DCO [PEPD-009].</p> <p>The Proposed Development is therefore in accordance with the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.14.9 | Where the project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.10 will apply. | | 5.5.18 | Where the project will be subject to the Environmental Permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply. | <p>The applicant recognises that some issues may be subject to separate regulatory regimes including environmental permitting. The Other Consents and Licences document submitted with the DCO application [APP-033] identifies the other consents and licences and provides details of when they will be required. The Proposed Development is therefore in accordance with the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.5.19 | The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's | The Outline SWMP [APP-225] submitted with the DCO application for Rampion 2. This concludes that the operational wastes that may arise across the first 5 years of operation of the onshore substation is expected to amount to negligible volumes overall. The Outline SWMP |

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| | | | | | Environmental Improvement Plan 2023. | <p>has been prepared to ensure compliance with environmental legislation, best practice guidance and other associated documents. The SWMP documents the commitment to responsible waste management practices.</p> <p>The Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice in relation to offshore waste management. The outline PEMP [APP-233] notes that the Applicant will adopt good construction and management practices and will apply the waste hierarchy. This will ensure that waste arising during the construction, operation and maintenance, and decommissioning of Rampion 2 is minimised as far as possible and that the storage, transport and eventual disposal of waste have no significant environmental effects. The Final PEMP will set out details of waste management and disposal arrangements for offshore waste. This is secured in the Deemed Marine License (DML) requirement 11 within the draft DCO [PEPD-009].</p> <p>This supports resource efficiency and waste reduction proposed under the Environment Act 2021.</p> <p>As such, the Proposed Development is assessed as being in accordance with EN-1 policy requirements in respect of waste management.</p> |
| 5.15 Water quality and resources Introduction | 5.15.1 | Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters ¹³⁵ and coastal waters. During the construction, operation and decommissioning phases, it can lead to increased demand for water, | 5.16 Water Quality and Resources | 5.16.1 - | Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters. During the construction, operation, and decommissioning phases, development can lead to increased | ES Chapter 26: Water Environment, Volume 2 [APP-067] examines the potentially significant effects that may be experienced as a result of the Proposed Development on the water environment. The water environment assessment in this chapter considers potential effects upon receptors for each phase of the lifespan of the development including |

¹³⁵ As defined in the Water Framework Directive (2000/60/EC), transitional waters are bodies of surface water in the vicinity of river mouths which are partly saline in character as a result of their proximity to coastal waters but which are substantially influenced by freshwater flows.

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| | | <p>involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3 and Section 4.18) and could, in particular, result in surface waters, groundwaters or protected areas ¹³⁶ failing to meet environmental objectives established under the Water Framework Directive¹³⁷.</p> | | | <p>demand for water, involve discharges to water, and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p> | <p>construction, operation and maintenance and decommissioning phases. No significant effects are assessed.</p> <p>The assessment on coastal and marine water quality is provided within ES Chapter 6: Coastal processes, Volume 2 [APP-047], ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] as the receptors are offshore. These chapters consider potential effects upon receptors for each phase of the lifespan of the development including construction, operation and maintenance and decommissioning phases. No significant effects are assessed.</p> <p>A WFD assessment has been provided in Appendix 26.3: Water Framework Directive compliance assessment, Volume 4 of the ES [APP-217]. This demonstrates that the Proposed Development is compliant with the objectives of the WFD.</p> <p>As such, the Proposed Development is assessed as being in accordance with EN-1 policy requirements.</p> |
| Applicant's assessment | 5.15.2 | <p>Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES or equivalent. (See Section 4.2.)</p> | Applicant assessment | 5.16.3 | <p>Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part</p> | <p>ES Chapter 26: Water Environment, Volume 2 [APP-067] examines the potentially significant effects that may be experienced as a result of the Proposed Development on the water environment. The water environment assessment in this chapter considers potential effects upon receptors for each phase of the lifespan of the development including construction, operation and maintenance and decommissioning phases, taking into account climate change. No significant effects are assessed.</p> |

¹³⁶ Protected areas are areas which have been designated as requiring special protection under specific Community legislation for the protection of their surface water and groundwater or for the conservation of habitats and species directly depending on water

¹³⁷ 2000/60/EC.

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| | | | | | of the ES or equivalent (see Section 4.3 and 4.10). | <p>The assessment on marine water quality is provided within ES Chapter 6: Coastal processes, which also includes an assessment of the physical characteristics, Volume 2 [APP-047], ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. These chapters consider potential effects upon receptors for each phase of the lifespan of the development including construction, operation and maintenance and decommissioning phases. No significant effects are assessed.</p> <p>As such, the Proposed Development is assessed as being in accordance with EN-1 policy requirements.</p> |
| | | | | 5.16.4 | The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements. | <p>Extensive consultation and engagement has been carried out as part of Rampion 2 in relation to the water environment, further details of which can be found in section 3 within the following chapters: Volume 2, Chapter 26 of the ES: Water Environment [APP-067], ES Chapter 6: Coastal processes, Volume 2 [APP-047], ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. This includes with the Environment Agency, several local authorities and the MMO.</p> <p>The Applicant recognises that some issues may be subject to separate regulatory regimes including environmental permitting. The Other Consents and Licences [APP-033] document submitted with the DCO Application identifies the other consents and licences required and provides details of when they will be required.</p> |
| | 5.15.3 | <p>The ES should in particular describe:</p> <ul style="list-style-type: none"> the existing quality of waters affected by the proposed project and the impacts of the proposed project on water | | 5.16.7 | <p>The ES should in particular describe:</p> <ul style="list-style-type: none"> the existing quality of waters affected by the proposed project and the impacts of the proposed project on water | <p>The baseline characteristics of the water environment (which includes water quality, water resources and flood risk) have been provided in Section 26.6 and associated assessments are provided in Sections 26.6 to 26.11 of ES</p> |

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| | | <p>quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</p> <ul style="list-style-type: none"> existing water resources ¹³⁸ affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies); existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions. | | | <p>quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges</p> <ul style="list-style-type: none"> existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source | <p>Chapter 26: Water Environment, Volume 2 [APP-067].</p> <p>The assessment on marine water quality and resource is provided within ES Chapter 6: Coastal processes, which also includes an assessment of the physical characteristics, Volume 2 [APP-047], ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. The relevant baseline conditions are outlined in section 6 of each of these chapters, which also includes future baseline which takes into account predicted impacts on climate change. These chapters consider potential effects upon receptors for each phase of the lifespan of the development including construction, operation and maintenance and decommissioning phases. No significant effects are assessed.</p> <p>There is also an FRA, WFD Assessment and Hydrogeological Risk Assessment presented within Appendix 26.2: Flood Risk Assessment, Volume 4 of the ES [APP-216], Appendix 26.3: Water Framework Directive compliance assessment, Volume 4 of the ES [APP-217], and Appendix 26.4: Hydrogeological Risk Assessment, Volume 4 of the ES [APP-218] respectively.</p> <p>The projected impacts of climate change on water resources are taken into account within the future baseline section (Section 26.6) of ES Chapter 26: Water Environment, Volume 2 [APP-067] and a cumulative effects assessment in relation to the water environment is presented in Section 26.12.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |

¹³⁸ See EA document Water resources strategy for England and Wales: water for people and the environment (2009).

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| | | | | | <p>protection zones (SPZs) around potable groundwater abstractions</p> <ul style="list-style-type: none"> • how climate change could impact any of the above in the future any cumulative effects | |
| IPC decision making | 5.15.4 | Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.10 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water ¹³⁹ | Secretary of State decision making | 5.16.11 | Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters. | <p>This has been addressed by a suite of embedded environmental measures in Section 26.7 (see Table 26-20) of ES Chapter 26: Water Environment, Volume 2 [APP-067]. It has been further considered in Section 26.9 to 26.11 of the chapter, as well as the Hydrogeological Risk Assessment in Appendix 26.4: Hydrogeological Risk Assessment, Volume 2 of the ES [APP- 218].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.15.5 | The IPC will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive | | 5.16.12 | The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. | <p>A WFD assessment has been provided in Appendix 26.3: Water Framework Directive compliance assessment, Volume 4 of the ES [APP-217]. This demonstrates that the Proposed Development is compliant with the objectives of the WFD.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | | 5.16.13 | The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government's Environmental Improvement Plan 2023. | <p>Volume 2, Chapter 26 of the ES: Water Environment [APP-067] section 26.2, ES Chapter 6: Coastal processes, Volume 2 [APP-047] section 6.2, ES Chapters 8 Fish and shellfish ecology, Volume [APP-049] section 8.2 and Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] section 9.2 sets out the legislation considered to be</p> |

¹³⁹ Controlled waters include all watercourses, lakes, lochs, coastal waters, and water contained in underground strata.

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| | | | | | | relevant to the assessment of the effects on water environment receptors. |
| | 5.15.6 | The IPC should satisfy itself that a proposal has regard to the River Basin Management Plans and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans. The IPC should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline/Estuary Management Plans. | | 5.16.14 – 5.16.15 | The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential. The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans | <p>WFD classifications and objectives are taken into account as the WFD water bodies themselves are receptors in the assessment presented in ES Chapter 26: Water Environment, Volume 2 [APP-067]. They are also considered within the WFD Assessment in Appendix 26.3: Water Framework Directive compliance assessment, Volume 4 of the ES [APP-217]. This demonstrates that the Proposed Development is compliant with the objectives of the WFD. The assessment has taken into account the current South East River Basin Management Plan.</p> <p>The assessment in ES Chapter 6 Coastal processes, Volume 2 [APP-047] takes into account the Shoreline Management Plan (SMP). The Proposed Development landfall is located at Climping within SMP Beachy Head to Selsey Bill (Defra, 2006 and updates) Policy Unit 4D20 (Littlehampton to Poole Place) with the EA being responsible for coastal management along this section of coastline. The ES Chapter notes that the original SMP policy was for 'Managed Realignment' but this has now evolved to 'Withdraw Management' and more recently, 'Do Minimum', and there is currently ongoing discussion regarding the most appropriate management policy for this stretch of coast.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 5.15.7 | The IPC should consider whether appropriate requirements should be attached to any development consent and/or planning obligations entered into to mitigate adverse effects on the water environment. | | 5.6.16 | The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the applicant and whether appropriate requirements should be attached to | As set out within ES Chapter 26: Water Environment, Volume 2 [APP-067] a range of design and good industry practices have been incorporated as part of the Proposed Development to remove or minimise any environmental effects on water environment receptors as far as possible. These are set out within Section 26.7 and Table 26-20 of ES |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | any development consent and/or planning obligations are necessary. | <p>Chapter 26: Water Environment, Volume 2 [APP-067].</p> <p>A range of measures are set out in the assessment on offshore receptors of the water environment provided within Table 6-12 of ES Chapter 6: Coastal processes, Volume 2 [APP-047], Table 8-13 of ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Table 9-16 of Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>These chapter concludes that there will be no significant residual effects from the Proposed Development upon the water environment following the successful implementation of the measures. The chapter also concludes that there will be no significant cumulative, inter-related or transboundary effects.</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| Mitigation | 5.15.8 – 5.1.5.9 | <p>– The IPC should consider whether mitigation measures are needed over and above any which may form part of the project application. (See Sections 4.2 and 5.1.) A construction management plan may help codify mitigation at that stage.</p> <p>The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.</p> | Mitigation | 5.16.8 – 5.16.9 | <p>The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the project application. A construction management plan may help codify mitigation at that stage.</p> <p>The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.</p> | <p>As set out within ES Chapter 26: Water Environment, Volume 2 [APP-067] a range of design and good industry practices have been incorporated as part of the Proposed Development to remove or minimise any environmental effects on water environment receptors as far as possible. These are set out within Section 26.7 and Table 26-20 of ES Chapter 26: Water Environment, Volume 2 [APP-067].</p> <p>A range of measures are also set out in the assessment on offshore receptors of the water environment provided within Table 6-12 of ES Chapter 6: Coastal processes, Volume 2 [APP-047], Table 8-13 of ES Chapters 8 Fish and shellfish ecology, Volume [APP-049], and Table 9-16 of Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>These chapters conclude that there will be no significant residual effects from the Proposed</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | 5.15.10 | The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. | | | | <p>Development upon the water environment following the successful implementation of the measures. The chapters also conclude that there will be no significant cumulative, inter-related or transboundary effects.</p> <p>Mitigation is appropriately secured through the draft DCO [PEPD-009] and a number of management plans, including the Outline Operational Drainage Plan [APP-223], Outline Code of Construction Practice (CoCP) [PEPD-033], and/or future permit applications which will be made against the final design.</p> <p>In the offshore environment the Applicant will implement measures including the Outline Project Environmental Management Plan (PEMP) [APP-232], which includes an Outline Marine Pollution Contingency Plan Pollution Contingency Plan at Appendix A. The Outline Project Environmental Management Plan (PEMP) [APP-233] includes environmental measures including best practice. This is secured in the Deemed Marine License (DML) requirement 11 within the draft DCO [PEPD-009].</p> <p>The Proposed Development therefore accords with these paragraphs of the 2011 NPS EN-1 and 2024 NPS EN-1.</p> <p>The Proposed Developments operational water demand is anticipated to be negligible, on the basis that the new onshore substation will be unstaffed and the only activities that will be connected to the mains will be welfare facilities (e.g. toilets) which will be used rarely, and fire control which would only be used during the unlikely emergency events. An embedded environmental measure is also incorporated for water harvesting and recycling systems at the onshore substation in order to further minimise the negligible operational water usage at that location (see Table 26-20 within ES Chapter 26: Water Environment, Volume 2 [APP-067]).</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | Furthermore, the loss of land from agricultural use to enable the development would in itself be likely to compensate for any limited water usage at the onshore substation through the reduced need for irrigation / drinking troughs. |

3. Accordance with NPS EN-3

Table 3.1 Accordance with NPS EN-3

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| 2.3 Climate change adaptation | 2.3.4 | Offshore and onshore wind farms are less likely to be affected by flooding, but applicants should particularly set out how the proposal would be resilient to storms. | 2.4 Climate change adaptation and resilience <i>Offshore wind</i> | 2.4.8 | Offshore wind farms will not be affected by flooding. However, applicants should demonstrate that any necessary land-side infrastructure (such as cabling and onshore substations) will be appropriately resilient to climate-change induced weather phenomena. Similarly, applicants should particularly set out how the proposal would be resilient to storms. | <p>The engineering design of the Proposed Development will take account of climate change with respect to physical resilience to climate change. Likely future baseline environment changes are described in Section 6 of ES Chapter 6 Coastal processes, Volume 2 [APP-047]. A number of embedded environmental measures are proposed as part of the Proposed Development in order to ensure that it is resilient to storms. These are set out further within ES Chapter 29: Climate Change, Volume 2 [APP-070]. ES Appendix 26.2 Flood Risk Assessment, Volume 4 [APP-216] takes into account the guidance on allowances for climate change for FRA.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3</p> |
| | 2.3.5 | Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES. | | 2.4.3 | Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES. | <p>See responses to NPS EN-1. ES Chapter 29: Climate Change, Volume 2 [APP-070] assesses the likely significant effects of the Proposed Development with respect to climate change in terms of GHG emissions and in terms the vulnerability of the Proposed Development to climate change (Climate Change Resilience ((CCR)). The CCR assessment focuses on the resilience of both the onshore and offshore elements of the Proposed Development to the impact of climate</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | change throughout the construction, operation and maintenance and decommissioning phases. The interface with CCR and the other EIA aspects is captured in the In-Combination Climate Impacts (ICCI) assessment. The CCR and ICCI assessment both conclude that there are likely to be no significant effects remaining following the assessment of climate change impacts on the construction, operation and maintenance and decommissioning phases of the Proposed Development. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.4.4 | Section 5.6 Coastal Change and Section 5.8 Flood Risk of EN-1 set out generic considerations that applicants and the Secretary of State should take into account in order to manage coastal change and flood risks. | See responses to 2024 NPS EN-1 Section 5.6 and Section 5.8. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| 2.4 Criteria for “good design” for energy infrastructure | 2.4.1 | Section 10(3)(b) of the Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, to the desirability of good design. Section 4.5 of EN-1 sets out the principles of good design that should be applied to all energy infrastructure | 2.5 Consideration of good design for energy infrastructure | 2.5.1 | Section 4.7 of EN-1 sets out the criteria for good design that should be applied to all energy infrastructure. | See response to Section 4.5 of 2011 NPS EN-1 and Section 4.7 of 2024 NPS EN-1 above. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.4.2 | Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology. | | 2.5.2 | Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage. | ES Chapter 3, Alternatives, Volume 2 [APP-044] presents the staged design process and principles that have been followed. Proposals for minimising the effects on landscape and visual amenity from the onshore infrastructure are set out in the Outline Landscape and Landscape and Ecology Management Plan (LEMP) [APP- |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | <p>232]. The Design and Access Statement (DAS) [AS-003] provides details of the physical characteristics of the onshore substation at Oakendene and the National Grid Bolney substation extension works. This DAS includes the maximum parameters of the infrastructure which has informed the EIA process. The outcomes of the EIA process have informed the development of design principles which are secured in the DAS and with which the detailed design shall be in accordance. These include landscape and visual, historic environment, ecology, flood risk and drainage, climate change and ground conditions.</p> <p>ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 [APP-056] sets out the design principles that have been applied to the design of Rampion 2 particularly in regard to the spatial extent of the Offshore Array Area, and the seascape, landscape and visual rationale for selection of the Proposed Development design envelope for the Offshore Array Area.</p> <p>ES Chapter 7: Other marine users, Volume 2 [APP-048] identifies any likely significant effects on other marine users throughout all stages of the development. Existing offshore infrastructure is considered within Sections 7.9, 7.10 and 7.11 of the assessment. With the embedded environmental measures proposed in Table 7-13, the assessment of the residual effects to other marine users is minor (not significant).</p> <p>In terms of noise, a detailed impact assessment and embedded</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | <p>environmental measures are set out within ES Chapter 21: Noise and vibration, Volume 2 [PEPD-018]. Embedded environmental measures for reducing noise and vibration effects are described in Section 21.7 and set out in Table 21-20. The mitigation measures for underwater noise such as installation equipment choice and secondary noise abatement options are specified in Table 11-14 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004].</p> <p>In terms of onshore ecology, embedded environmental measures are detailed in Section 22.7 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063]. In terms of offshore ecological receptors, embedded measures are outlined within ES Chapters 8 Fish and shellfish ecology [APP-049], Chapter 9 Benthic, subtidal, and intertidal ecology [APP-050], Chapter 11 Marine mammals [APP-052], Chapter 12 Offshore and intertidal ornithology [APP-053], and Chapter 22 Terrestrial ecology and nature conservation [APP-063].</p> <p>A number of embedded environmental measures have been adopted to reduce the potential for impacts on historic environment, and these can be seen in Table 25-23 of Volume 2, Chapter 25 of the ES: Historic Environment [PEPD-020] (which supersedes APP-066) and Table 16-15 of Volume 2, Chapter 16 of the ES: Marine archaeology [APP-066].</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.5.3 | Defra will consult on a series of Offshore Wind Environmental Standards (OWES) before drafting clear OWES Guidance. The OWES Guidance will aim to support the achievement of good design for offshore wind farms and/or offshore transmission infrastructure which is detailed in section 2.8.90. | The OWES has not be brought forward, and no OWES Guidance drafted at this stage. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | | 2.3 Factors influencing site selection and design National designations | | 2.3.6 | When considering applications for CNP Infrastructure in sites with nationally recognised designations (such as SSSIs, National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty, Registered Parks and Gardens, and World Heritage Sites), the Secretary of State will take as the starting point that the relevant tests in Sections 5.4 and 5.10 of EN-1 have been met, and any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by the urgent need for this type of infrastructure. | See responses to Sections 5.4 and 5.10 of NPS EN1. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | | | | 2.3.7 | The Secretary of State should have regard to the aims, goals and targets (including targets set under the Environment Act 2021) of the government's Environmental Improvement Plan ⁷ (of which the 25 Year Environment Plan ⁸ is the first), and other existing and future measures and targets in England, as well as Welsh policy, such as the Wales National Marine Plan, Planning Policy Wales and Technical Advice Note (TAN) 5, ⁹ the Wellbeing of Future Generations Wales Act and comply with the Environment Act 2021. ¹⁰ | ES Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrates that the potential environmental impacts of the Proposed Development have been comprehensively assessed. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in the design of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements. These embedded environmental measures also include those that have been identified as good or standard practice and include actions that will be undertaken to meet existing legislation requirements. |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | | The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | | | | 2.3.8 | In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether the Secretary of State is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target. | See responses to Section 5.9 of NPS EN1. The Proposed Development would contribute to the achievement of net zero, and play a positive role in the mitigation of climate change, as assessed in ES Chapter 29 Climate change [APP-70] . The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | | | Other locational considerations | 2.3.9 | As most renewable energy resources can only be developed where the resource exists and where economically feasible, and because there are no limits on the need established in Part 3 of EN-1, the Secretary of State should not use a consecutive approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments). | The Funding Statement [APP-025] outlines the assessment by the Applicant that the Proposed Development is commercially viable. The Applicant therefore concludes with confidence that the financial viability of the project is assured. There is suitable wind resource. The Proposed Development would help meet the need for this type of development. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| 2.6 Offshore Wind | 2.6.1 | Offshore wind farms are expected to make up a significant proportion of the UK's renewable energy generating capacity up to 2020 and towards 2050. | 2.8 Offshore Wind introduction | 2.8.1 | As set out in the British Energy Security Strategy, the Government expects that offshore wind (including floating wind) will play a significant role in meeting demand and decarbonising the energy system. The ambition is to deploy up to 50GW of offshore wind capacity (including up to 5GW floating wind) by 2030, with an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050. ¹⁴⁰ | Section 4.2 of the Planning Statement [APP-036] sets out the need for the Proposed Development in terms of the contribution towards renewable energy generation, the achievement of the UK's climate change commitments, and in helping to meet the projected increase in demand for electricity. The Proposed Development will support the achievement by generating an |

¹⁴⁰ The Climate Change Act 2008 (2050 Target Amendment) Order 2019

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| | | | | | | <p>estimated 1,200MW of renewable energy and the Government's stated ambition to deliver 50GW of offshore wind in the British Energy Security Strategy.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.2 | <p>To meet its objectives Government considers that all offshore wind developments are likely to need to maximise their capacity within the technological, environmental, and other constraints of the development.</p> | <p>The paragraph effectively confirms that offshore wind projects, and their locations, should not be compared to one another, and all projects are necessary to meet the urgent need for low carbon infrastructure, and are to be assessed on basis of the benefits and impacts of the individual scheme.</p> <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] Section 3.2 outlines the approach taken to the scale of generation identified in the Proposed Development. This outlines that there are multiple considerations for sizing a project, which principally include: The area of likely seabed available; Density of generation; and Likely available grid capacity. 1,200MW was estimated as the likely potential capacity of the Site, seeking to maximise generating capacity, within reasonably likely environmental and technical limits. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.3 | <p>For clarification, any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an application, including wind turbines, all types of foundations, onshore and offshore substations, anemometry masts, accommodation platforms and cabling</p> | | 2.8.4 – 2.8.5 | <p>Any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an offshore wind farm application including:</p> <ul style="list-style-type: none"> • wind turbines; • all types of foundations (fixed bottom or floating); • onshore and offshore substations; • anemometry masts; | <p>The Proposed Development includes development identified and therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | | | | | <ul style="list-style-type: none"> accommodation platforms; and cabling (offshore transmission). <p>In addition, this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure including offshore transmission as well as the inter-array cables for a wind farm.</p> | |
| | | | Consenting process | 2.8.7 | Given ambitions to deliver up to 50 GW of offshore wind by 2030, including up to 5 GW of floating wind, there is a need to speed up, and reduce delays in, the consenting process. | <p>Section 4.2 of the Planning Statement [APP-036] sets out the need for the Proposed Development in terms of the contribution towards renewable energy generation, the achievement of the UK’s climate change commitments, and in helping to meet the projected increase in demand for electricity. The Proposed Development will support the achievement by generating an estimated 1,200MW of renewable energy and the Government’s stated ambition to deliver 50GW of offshore wind in the British Energy Security Strategy. The type of development proposed is required to be delivered at pace.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.8 – 2.8.10 | The British Energy Security Strategy ¹⁴¹ committed to implementing an Offshore Wind Environmental Improvement Package (OWEIP), which aims to streamline environmental assessments, decrease consenting times, and maintain marine environmental protections. The OWEIP includes measures to: | The OWEIP has yet to be produced. Notwithstanding that an OWEIP will be subject to public consultation and guidance that ‘will be produced in due course’ (NPS 3 Paragraph 2.8.9), the Applicant does not consider that there is any inherent conflict between the aim of the OWEIP and the Proposed |

¹⁴¹ [British energy security strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/strategies/british-energy-security-strategy)

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| | | | | | <ul style="list-style-type: none"> • revise Marine Protected Area assessment guidance (including Habitats Regulations and Marine Conservation Zone (MCZ) Assessments) to streamline and simplify information applicants must supply. • revise the Habitats Regulations and MCZ assessment process for offshore wind to facilitate the delivery of compensation measures whilst maintaining valued protection for wildlife. • facilitate the delivery of strategic environmental compensation measures to offset environmental effects and reduce delays to projects, including development of a library of compensation measures, through the Collaboration on Offshore Wind Strategic Compensation (COWSC) programme. • implement an industry-funded Marine Recovery Fund (MRF), into which developers can choose to contribute to meet their environmental compensation obligations. • develop offshore wind environmental standards to set a minimum common requirement for designing wind farms and offshore transmission infrastructure, providing greater certainty and speeding up the consenting process. • develop a strategic approach to environmental monitoring. | <p>Development, and in any case the Applicant will, as a matter of principle, be bound by all relevant legislation in delivering the Proposed Development. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | | <p>Various aspects of the Offshore Wind Environmental Improvement Package (OWEIP) will be subject to public consultation and guidance will be produced in due course.</p> | |
| | | | | | <p>The OWEIP applies to “the planning, construction, operation or decommissioning of offshore wind</p> | |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | | | | | electricity infrastructure” and the identification of an area for such an activity ¹⁴² . Infrastructure is defined in the Energy Act and includes offshore transmission infrastructure such as bootstraps. | |
| | 2.6.4 | The extent to which generic impacts set out in EN-1 are relevant may depend upon the phase of the proposed development being considered. For example, land-based traffic and transport and noise issues may be relevant during the construction and decommissioning periods only, depending upon the specific proposal. | | | | <p>The generic impacts set out in NPS EN-1 have been assessed. This has been formed through consultation undertaken through the scoping, PEIR, and EIA Evidence Plan process (see Evidence Plan Process [APP-243 – APP-253]). To ensure that all relevant impacts have been assessed, the ES therefore includes an assessment of the construction, operation and maintenance, and decommissioning phases in each of the topic specific chapters (Chapter 6: Coastal processes, Volume 2 [APP-047] to Chapter 29: Climate change, Volume 2 [APP-070]), that has been informed through comprehensive consultation, and in accordance with the requirements of NPS EN-1 and NPS EN3.</p> <p>The Proposed Development can be considered to be in accordance with paragraph 2.6.4 of EN-3.</p> |
| | 2.6.5 | The applicant should identify the impacts of a proposal and these impacts, together with proposals for their avoidance or mitigation wherever possible, should be set out in an Environmental Statement (ES) that should accompany each project application. Policy on ESs is set out in Section 4.2 of EN-1. | | | | <p>The Applicant undertook an EIA scoping process to identify the potential impacts which were agreed with the Secretary of State through the SoS’s Scoping Opinion [APP-125] and Response to the Scoping Opinion [APP-126] and have been subsequently assessed in the topic specific chapters in Chapter 6: Coastal processes, Volume 2 [APP-047] to Chapter 29: Climate change, Volume 2 [APP-070] of the</p> |

¹⁴² The Energy Act Section 290

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| | | | | | | <p>Environmental Statement (ES). A comprehensive assessment of the potential impacts is presented within the ES, which includes appropriate mitigation measures.</p> <p>The Proposed Development can be considered to be in accordance with paragraph 2.6.5 of EN-3.</p> |
| Marine licence | 2.6.9 | As provided for in the Marine and Coastal Access Act 2009, Marine Licences replace the requirement for CPA consents and FEPA licences ¹⁴³ . Any consent granted by the IPC will be able to include provision deeming the grant of a Marine Licence for operations carried out wholly in England, waters adjacent to England up to the seaward limits of the territorial sea or the UK REZ (except any part of a REZ in relation to which the Scottish Ministers have functions). | Other locational considerations Marine Licensing | 2.3.17 – 2.3.18 | Under section 58 of the Marine and Coastal Access Act 2009 (MCAA) the MMO makes all authorisation or enforcement decisions in accordance with marine plans and the Marine Policy Statement (MPS) unless relevant considerations indicate otherwise. This is also reflected in the MMO’s input for the Secretary of State’s consideration during the DCO process. Any Development Consent Order (DCO) granted by the Secretary of State may include provisions deeming the grant of a Marine Licence for operations carried out wholly in England and English waters, or the Welsh Zone of the REZ. | The draft DCO [PEPD-009] contains, insofar as possible, all consents and powers required to construct, operate and maintain the Proposed Development including approval for Deemed Marine Licences (DML). The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.3.23 – 2.3.24 | Applicants must approach the Marine Licensing regulator (MMO in England and NRW in Wales) early in the pre-application process to ensure that they are aware of any needs for additional marine licence consents alongside their DCO application. As part of marine licensing, impacts on marine protected areas (MPAs) will be considered. Further guidance on marine licensing is set out in Section 1.2 of EN-1. | The draft DCO [PEPD-009] contains, insofar as possible, all consents and powers required to construct, operate and maintain the Proposed Development including approval for Deemed Marine Licences (DML). Section 4.6 of the Planning Statement [APP-036] , which covered assessment of offshore policy requirements did not specifically state that <i>early pre-application</i> was undertaken although as noted this was undertaken by the Applicant. The Proposed Development can be considered to be in accordance with these paragraphs of 2024 EN-3. |

¹⁴³ From 6 April 2011

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| Implications for IPC | 2.6.12 2.6.14 | – Marine Licences are likely to be required for all the offshore elements of the proposed wind farm, including associated development such as the offshore cabling and any offshore substations that are required. The Marine Management Organisation (MMO) is responsible for enforcement and ongoing management of licence conditions, for operations carried out in England, waters adjacent to England up to the seaward limits of the territorial sea or a REZ (except any part of a REZ in relation to which the Scottish Ministers have functions). The IPC should liaise closely with the MMO on the proposed terms of any deemed CPA consent, FEPA licence or Marine Licence. | Other locational considerations Marine Licensing | 2.3.16 | Marine Licences are required for all the marine elements of a proposed offshore development (up to Mean High Water Springs), including associated development such as the cabling, offshore substations that are required, and any other aspects of a development that the appropriate licensing authority, such as the MMO or NRW, may consider licensable under s66 of the Marine and Coastal Access Act 2009. The MMO is responsible for the enforcement, ongoing management and discharge of licence conditions, for operations carried out in English Waters and the Northern Ireland offshore region. The Secretary of State should liaise closely with the MMO, NRW, Marine Scotland where relevant, on the proposed terms of any deemed Marine Licence. | The draft DCO [PEPD-009] contains, insofar as possible, all consents and powers required to construct, operate and maintain the Proposed Development including approval for Deemed Marine Licences (DML). The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3. |
| Factors Influencing Site Selection and Design by Applicant Strategic Environmental Assessment | 2.6.16 2.6.17 | – In addition to new offshore projects, the Government has decided that, in line with Recommendation 6 of the Post Consultation Report (PCR), there is potential for capacity extensions to existing wind farm leases within UK waters ¹⁴⁴ . However, this will require careful, site-specific evaluation through the planning process, since significant new information on sensitivities and uses of these areas has become available. Applicants should set out how they have drawn on the Government's Offshore Energy SEA in making their site selection. | Offshore Energy Strategic Environmental Assessment | 2.8.14 | In proposing sites for offshore wind and/or offshore transmission infrastructure, NSIP applicants should demonstrate that their choice of site takes into account the government's Offshore Energy SEA 4 ¹⁴⁵ and any successors to it. | The location of the offshore array reflects the existing Rampion 1 windfarm location. In 2018, the Crown Estate (TCE) invited the owners of existing Round 3 offshore wind leasing programme wind farms (including Rampion 1) to consider potential extensions of those schemes. Detailed assessments and evaluations of potential developable areas in proximity to Rampion 1 were undertaken to ensure that an appropriate site could be brought forward. The Round 3 area (where Rampion 1 is located) was one of nine Zones identified where offshore wind development could take place (Rampion 1 is in Zone 6) following a |

¹⁴⁴ Territorial waters and the UK Renewable Energy Zone

¹⁴⁵ Applicants should note that the Offshore Energy SEA 4 consultation was published before the British Energy Security Strategy and does not reflect the current 50GW by 2030 ambition. The spatial analysis indicated space for further generation capacity beyond the 40GW initially considered. See <https://www.gov.uk/government/consultations/uk-offshore-energy-strategic-environmentalassessment-4-oseea4>

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| | | | | | | <p>process of national, strategic level planning initiated in 2008. As part of the wider national strategic initiative, a Strategic Environmental Assessment (SEA) of suitable areas for offshore wind development was conducted by the then DECC, which was completed in 2009. Development rights for the zones were awarded after the completion of the SEA.</p> <p>Offshore Energy Strategic Environmental Assessment (OESEA4) (2022) is the latest Strategic Environment Assessment (SEA). The OESEA (2022) is a strategic tool and is not guidance or a roadmap for placing of wind farms, which are allocated by The Crown Estate and it is not in the Applicant's remit to locate sites to avoid all impacts. However, the areas considered by the OESEA are aligned with those considered by the Applicant's ES.</p> <p>The site selection for the Proposed Development reflects the consideration of environmental parameters and other constraints (detailed in Section 3.2, ES Chapter 3 Alternatives, Volume 2 [APP-044]).</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | <p>Factors influencing site selection and design <i>Marine Planning</i></p> | <p>2.8.16 – 2.8.19</p> | <p>Marine planning currently enables the increasing demands for use of the marine area to be balanced and managed in an integrated way that protects the marine environment whilst supporting sustainable development. Marine plans provide a transparent framework for consistent, evidence-based decision making and should be used by applicants to guide site selection.</p> | <p>The design of the Proposed Development takes into account the objectives and policies of the South Inshore and South Offshore Marine Plan (ES Chapter 6: Coastal processes, Volume 2 [APP-047] to ES Chapter 17: Socio-economics, Volume 2 [APP-058]. Section 4.6 of</p> |

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| | | | | | Marine plans will help applicants understand generic potential impacts of their proposal at an early stage e.g., in relation to other activities, or where there are marine protected areas. Further information is provided in Section 4.5 of EN-1. The cross-Government Marine Spatial Prioritisation Programme will review how marine plans, the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas, and that this is taken to maximise co-existence/co-location possibilities. | the Planning Statement [APP-036] includes references to the Marine Plan. The Proposed Development therefore accords with these paragraphs of 2024 NPS EN-3. |
| The Crown Estate | 2.6.19 | The Crown Estate owns virtually the entire seabed out to the 12nm territorial limit, including the rights to explore and utilise the natural resources of the UK Continental Shelf (excluding oil, gas and coal). Therefore it is necessary to obtain a licence from The Crown Estate prior to placing any offshore structures on, or passing cables over, the seabed and its foreshore. As well as owning the rights to explore and utilise waters up to 12nm, the Energy Act 2004 gives The Crown Estate rights to issue licences for development beyond the territorial limit and within the REZ. | | 2.3.10 – 2.3.11 | The Crown Estate owns and manages the seabed out to the 12nm territorial limit in England, Wales and Northern Ireland. The seabed around Scotland is managed by Crown Estate Scotland. The Crown Estate owns and manages the seabed out to the 12nm territorial limit in England, Wales and Northern Ireland. The seabed around Scotland is managed by Crown Estate Scotland. As well as owning the rights to explore and utilise waters up to 12nm, the Energy Act 2004 gives The Crown Estate rights to issue leases for development beyond the territorial limit and within the REZ | The offshore element of the Proposed Development will be located within an Area of Search adjacent to the existing Rampion 1 project comprising a seabed area awarded in 2019 under The Crown Estate (TCE) wind farm extension process (to the west of Rampion 1) and part of remainder of the original Round 3 Zone 6 area (to the south and east of Rampion 1). Agreements for Lease have been entered into with TCE for both of these seabed areas. There will also be with a small link or 'bridge' area between the two areas for cabling, as well as an agreement for lease for the marine export cable to shore. |
| | 2.6.21 2.6.22 | – The Crown Estate identifies potential development areas in accordance with the requirements of The Crown Estate Act, Government policy, plans and associated SEA work. The Crown Estate issues leases for offshore wind farms in tendering Rounds. Rounds 1 and 2 are closed and sites leased in those rounds are operational, in construction, consented but yet to be constructed | Seabed leasing | 2.8.21 | Rounds 1, 2 and 3 are closed and sites leased in those rounds are either operational; in construction; consented but yet to be constructed; awaiting determination; or yet to apply for development consent. Leasing Round 4 is completed, with agreements for lease awarded in January 2023. ¹⁴⁶ | The location of the offshore array reflects the existing Rampion 1 windfarm location. In 2018, the Crown Estate (TCE) invited the owners of existing Round 3 offshore wind leasing programme wind farms (including Rampion 1) to consider potential extensions of those schemes. Detailed assessments and evaluations of potential developable areas in proximity to Rampion 1 were |

¹⁴⁶ <https://www.thecrownestate.co.uk/our-business/marine/Round4>

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| | | <p>or, in some cases, still awaiting determination. The Crown Estate may grant capacity extensions to existing wind farm leases in Round 1 and 2 areas, again in accordance with the above, subject to applicants obtaining necessary consents. For Round 3, The Crown Estate has adopted an approach based on development zones. The Crown Estate has entered into exclusive agreements with development partners to identify and seek consent for sites within each of the zones. There are a number of zones, each with a separate agreement. The size of the zones and the number of sites that may be applied for within them vary</p> | | | | <p>undertaken to ensure that an appropriate site could be brought forward.</p> <p>The Round 3 area (where Rampion 1 is located) was one of nine Zones identified where offshore wind development could take place (Rampion 1 is in Zone 6) following a process of national, strategic level planning initiated in 2008. As part of the wider national strategic initiative, a Strategic Environmental Assessment (SEA) of suitable areas for offshore wind development was conducted by the then DECC, which was completed in 2009. Development rights for the zones were awarded after the completion of the SEA. The site selection for the Proposed Development reflects the consideration of environmental parameters and other constraints (detailed in Section 3.2, ES Chapter 3 Alternatives, Volume 2 [APP-044]).</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.23 | <p>The award of Zone Development Agreements (ZDAs) amounts to a plan within the meaning of the Offshore Marine Regulations Conservation (Natural Habitats, &c.) 2007. The Crown Estate has therefore undertaken an Appropriate Assessment before awarding the ZDAs.</p> | | 2.8.22 - 2.8.26 | <p>To date, each offshore wind leasing round has been supported by a plan level HRA, which assesses the impact of the leasing round on protected sites.¹⁴⁷ It should also be noted that aspects of plan level HRAs that remain relevant at the project level might be able to be relied upon to inform the project level HRA, reducing the project level effort required and reducing duplication. The assessment serves to provide a better understanding of the potential effects and identify measures which can be put in place to avoid,</p> | <p>The Report to Inform Appropriate Assessment [APP-038] addresses the requirements to assess alternatives under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (together, the 'Habitats Regulations'). It is noted that The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation</p> |

¹⁴⁷ This is an objective, scientific assessment of the implications for the protected site qualifying features potentially affected by the plan in the context of their conservation objectives.

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| | | | | | <p>mitigate, or reduce those significant effects at a plan level.</p> <p>Where an assessment concludes that there will still be an adverse impact, a case for derogation can be considered. This must meet strict legal tests, which includes identifying compensatory measures.</p> <p>Individual project lease agreements from The Crown Estate often include limits on development (such as a maximum generation capacity), which are used by The Crown Estate as a proxy to establish environmental effects at the plan level. Consistent with the Government's objectives in this NPS, project developers should seek to maximise their capacity within the technological, environmental, and other constraints of the project. At the development consent stage, the Secretary of State will use detailed maximum project parameters to assess environmental impacts, and these will be reflected in the DCO. Such parameters may differ from the limits on development assumed by The Crown Estate in the agreement for lease e.g., as a rule, the Secretary of State will not include a maximum capacity limit within the DCO. Future offshore development may occur in rounds, as piecemeal development or using any other development mechanism as required.</p> <p>Future leasing rounds may continue to be supported by separate plan level HRA or, in appropriate cases, may be the subject of a coordinated approach to the HRA, where there is overlap between the activities of more than one competent authority in relation to offshore development.</p> | <p>objectives of any sites designated as part of the UK National Site Network.</p> <p>However, the Applicant has provided the Article 6(4) Habitats Regulations Assessment (HRA) (Without Prejudice) derogation case [APP-039] to provide the SoS for DESNZ with the necessary information to support a clear and overriding case for the Proposed Development should the SoS conclude AEoI Flamborough and Filey Coast Special Protection Area (FFC SPA). The Applicant strongly believes that if the SoS finds AEoI in respect of the conservation objectives of the kittiwake feature of the FFC SPA, there are demonstrable imperative reasons of overriding public interest in support of the Proposed Development and the policy objectives it will serve, which outweighs the risk of any adverse impact on the FFC SPA.</p> <p>The Applicant has used feedback from relevant stakeholders and SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Rampion 2. The Applicant has applied a five-step process to develop compensatory measures in view of existing Defra guidance and advice from Natural England (outlined in Section 6 of the HRA (Without Prejudice) derogation case [APP-039]</p> <p>These paragraphs also identify that any site-specific capacity limits set by The Crown Estate through its leasing process should not be a barrier to delivery of greater capacity at the consenting stage. ES Chapter 3 Alternatives, Volume 2 [APP-044]</p> |

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| | | | | | | <p>Section 3.2 outlines the approach taken to the scale of generation identified in the Proposed Development. This outlines that there are multiple considerations for sizing a project, which principally include: The area of likely seabed available; Density of generation; and Likely available grid capacity. 1,200MW was estimated as the likely potential capacity of the Site, seeking to maximise generating capacity, within reasonably likely environmental and technical limits. The 2024 NPS change regarding lease agreements is relevant in that the Proposed Development site is comprised of two conjoined areas of seabed for which the Applicant holds separate agreements for lease with The Crown Estate. The eastern area agreement for lease resulted from the development of the Zone 6, which was originally awarded as part of Round 3, and the western area agreement for lease was awarded from a call to extend existing operational wind farms with Rampion 1 as the qualifying project.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Wind resource | 2.6.30 | The wind resource is critical to the economics of a proposed offshore wind farm. Applicants may have collected wind speed data using an anemometry mast or similar to inform their economic modelling. However, collection of this data is not obligatory as the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant | Wind resource | 2.8.28 – 2.8.30 | Available wind resource is critical to the economics of a proposed offshore wind farm. To inform their economic modelling applicants may collect wind speed data using an anemometry mast or similar. Collection of this data is not obligatory as the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant not the Secretary of State. | The Applicant has determined that Rampion 2 is a viable site and productive location for wind energy generation, with a predicted wind speed of ~9.3 m/s. The latest figures show that the operating Rampion Wind Farm exceeded target generation by 15% in 2023. Rampion has exceeded its target for three of the four complete years of operation from 2020-23 and in terms of total generation across this period, |

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| | | | | | | <p>Rampion has exceeded the target by 8%.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Water depth and foundation conditions | 2.6.31 | Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity | Water depth and foundation conditions | 2.8.31 | Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity. | As noted in Section 3.2 of ES Chapter 3 Alternatives, Volume 2 [APP-044] key feasibility concerns for the offshore array area initially included consideration ground conditions and bathymetry including water depth. The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.6.32 | The onus is on the applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions. Whilst the technical suitability of the foundation design is not in itself a matter for the IPC, it will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, physical environment and marine heritage assets in accordance with the policy below. The applicant should have provided the necessary details to allow the IPC to assess such impacts | Secretary of State decision making Factors influencing site selection and design Water depth and foundation conditions | 2.8.32 – 2.8.33 2.8.4 | <p>The onus is on the applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions.</p> <p>Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p> <p>Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p> | <p>ES Chapter 6: Coastal processes, Volume 2 [APP-047] to ES Chapter 17: Socio-economics, Volume 2 [APP-058] consider in detail the potential offshore impacts associated with the Proposed Development. With regards marine biodiversity the potential impacts are considered in ES Chapters 8 Fish and shellfish ecology [APP-049], ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050], ES Chapter 11: Marine mammals, Volume 2 [APP-052], and Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]. ES Chapter 6: Coastal processes, Volume 2 [APP-047] to ES assesses impacts on the physical environment. Impacts on marine heritage assets are considered in ES Chapter 16 Marine archaeology, Volume 2 [APP-057]. In order to address potential adverse effects, a number of mitigation measures seek to minimise impacts and protect marine biodiversity, physical processes, and archaeological receptors of interest. The</p> |

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| | | | | | | <p>implementation of mitigation measures, including micro siting, underwater noise management and safety zones ensures that all effects are anticipated to be not significant.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Grid connection | 2.6.33 2.6.34 | <p>– The connection of a proposed offshore wind farm into the relevant electricity network will be an important consideration for applicants. The grid connection text at Section 4.9 in EN-1 sets out the important issues here.</p> <p>Applicants for consent for offshore wind farms will have to work within the regulatory regime for offshore transmission networks established by Ofgem. Under the regime offshore transmission will be a licensed activity regulated by Ofgem</p> | | | | <p>The DCO application is a single application that includes the offshore generating station, offshore substations and cables, and associated development comprising export cables to landfall location at Climping, West Sussex, underground cable connection between the landfall and an onshore substation known as Oakendene, and then to the existing National Grid substation at Bolney, with an extension to and connection into that substation. The Cable and Grid Connection Statement [APP-034] provides further details. The relevant NPS EN-1 policies have been considered above.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3.</p> |
| Other offshore infrastructure | 2.6.35 | There may be constraints imposed on the siting or design of offshore wind farms because of restrictions resulting from the presence of other offshore infrastructure or activities. | Other offshore infrastructure and activities | 2.8.44 | There may be constraints imposed on the siting or design of offshore wind farms because of the presence of other offshore infrastructure, such as oil and gas, Carbon Capture, Usage and Storage (CCUS), co-location of electrolyzers for hydrogen production, marine aggregate dredging, telecommunications, or activities, such as aviation and recreation. | <p>The Applicant has assessed effects aviation within Chapter 14: Civil and military aviation, Volume 2 [APP-055], recreation within ES Chapter 17: Socio-economics, Volume 2 [APP-058], and other infrastructure and users in Chapter 7 Other marine users, Volume 2 [APP-048]. No significant effects are assessed.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | | | | 2.8.46 | Applicants should consult the Government’s Marine Plans (further detailed in Section 4.5 of EN-1) which are a useful information source of existing and known or potential activities and infrastructure. | <p>The Applicant has considered the relevant Marine Plans throughout the development of the Application, for all offshore components of the Proposed Development. Relevant ES chapters where offshore elements are assessed include reference to the Marine Plans, and take account of the implications in the assessment, as necessary.</p> <p>The design of the Proposed Development takes into account the objectives and policies of the South Inshore and South Offshore Marine Plan (ES Chapter 6: Coastal processes, Volume 2 [APP-047] to ES Chapter 17: Socio-economics, Volume 2 [APP-058]). Section 4.6 of the Planning Statement [APP-036] includes references to the Marine Plan. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.47 – 2.8.49 | <p>Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.</p> <p>Applicants are encouraged to work collaboratively with those other developers and sea users on co-existence/co-location opportunities, shared mitigation, compensation and monitoring where appropriate. Where applicable, the creation of statements of common ground between developers is recommended. Work is ongoing between government and industry to support effective collaboration and find solutions to facilitate to greater co-existence/co-location. As an interested party, The Crown Estate may also provide further supporting information and evidence as part of the examination. This</p> | <p>The scope and methods of assessment, mitigation measures and compensation have been developed based on engagement with stakeholders, including statutory bodies, throughout the Evidence Plan Process (See Evidence Plan [APP-243 – APP-253]). The Applicant has also engaged with The Crown Estate. The Proposed Development therefore accords with these paragraphs of 2024 NPS EN-3.</p> |

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| | | | | | guidance is to encourage early engagement between parties with a potential overlap in their development plans so that a solution can be found that optimises the capacity of the UKCS to enable net zero. | |
| | | | | 2.8.50 | The applicant will also need to consider impacts on civil and military radar and other aviation and defence interests (Section 5.5 of EN-1). | <p>The Applicant has assessed effects aviation and defence interests within Chapter 14: Civil and military aviation, Volume 2 [APP-055]. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | Offshore-onshore network connection | 2.8.34 - 2.8.37 | <p>As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission ¹⁴⁸ is required.</p> <p>The previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore. A coordinated approach will involve the connection of multiple, spatially close, offshore wind farms and other offshore infrastructure, wherever possible, as relevant to onshore networks.</p> <p>This will include connections via multi-purpose interconnectors (MPIs), which combine the connection of offshore wind with the function of market-to-market interconnectors.</p> <p>Co-ordinated transmission proposals have principally been developed through, and as a consequence of, a process of ongoing reform ¹⁴⁹ including through strategic network planning, such as the Holistic Network Design for onshore-offshore transmission, as outlined in EN-5. Further details are provided in EN-5, section 2.12-2.15.</p> | <p>This Proposed Development location was not identified by the OTNR as a pathfinder project, nor is it in the scope of the successor Holistic Network Design (HND) published in June 2022. National grid Electricity System operator (NGESO) has confirmed projects in-scope for the HND and Pathway to 2030 are primarily those which were awarded leases in The Crown Estate Leasing Round 4 and those in Crown Estate Scotland's ScotWind leasing round. The workstream scope will also include offshore projects within the Celtic Sea and potentially a handful of other offshore projects which are potentially spatially and/or temporally relevant to other in-scope projects for the Pathway to 2030 workstream where it is efficient to consider them as part of the scope of the HND.</p> |

¹⁴⁸ In this context transmission means all cabling and associated infrastructure including onshore converter stations.

¹⁴⁹ Reforms took place initially under the Offshore Transmission Network Review (OTNR), see <https://www.gov.uk/government/groups/offshore-transmission-network-review>. Reforms took place initially under the Offshore Transmission Network Review (OTNR), see <https://www.gov.uk/government/groups/offshore-transmission-network-review>

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| | | | | | | <p>The existing regulatory regime is based on radial connections and this is the approach that has been taken by the Applicant which has been supported by NGENSO and is indirectly endorsed by the HND recommendations.</p> <p>This site is not in the scope of the HND, but NPS EN-1 is clear that radial connections may continue to be the most appropriate approach for single offshore wind projects.</p> |
| | | | | 2.8.43 | The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are future proofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate. | <p>The design is outlined in ES Chapter 4: The Proposed Development, Volume 2 [APP-045]. A 'design envelope' approach has been employed. The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. However, it is not anticipated that the Proposed Development would enable future connections.</p> <p>The Proposed Development can therefore be considered to be in accordance with EN-3.</p> |
| | | | Technical considerations Network connection | 2.8.59 – 2.8.63 | Applicants should consider important issues relating to network connection at Section 4.11 of EN-1 and in EN-5. In particular, applicants should proceed in a manner consistent with the regulatory regime for offshore transmission networks established by Ofgem. The co-ordination of transmission is supported by reforms and regulatory changes to enable this including as part of the previous Offshore Transmission Network Review (OTNR). As co-ordinated offshore transmission development may sometimes occur separate to | <p>This paragraph of 2024 NPS EN-3 reinforces the status of the Offshore Transmission Network Review (OTNR) undertaken by the government. This Proposed Development location was not identified by the OTNR as a pathfinder project, nor is it in the scope of the successor Holistic Network Design (HND) published in June 2022. National grid Electricity System operator (NGESO) has confirmed projects in-scope for the HND and</p> |

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| | | | | | <p>that for wind farm development (under reforms including through strategic network design exercises see next paragraph), it is expected that an initial agreement will be reached regarding connection with the offshore transmission network developer (or operator) and/or connection into the onshore transmission network.</p> <p>For many wind farm projects, including those from The Crown Estate Leasing Round 4 onwards, connection agreements will be limited to connection points proposed through strategic network design exercises such as those undertaken by the National Grid Electricity System Operator, including the Holistic Network Design for offshore-onshore transmission. Please see section 2.7 and 2.8 of EN-5 for further details on strategic network designs.</p> <p>Transmission cabling from offshore energy infrastructure can negatively impact (both during installation and over their lifetime) seabed habitats and protected sites.</p> <p>It is expected that greater coordination of offshore-onshore transmission infrastructure is likely to reduce the cumulative environmental impacts and impacts on coastal communities by installing a smaller number of larger connections.</p> | <p>Pathway to 2030 are primarily those which were awarded leases in The Crown Estate Leasing Round 4 and those in Crown Estate Scotland's ScotWind leasing round. The workstream scope will also include offshore projects within the Celtic Sea and potentially a handful of other offshore projects which are potentially spatially and/or temporally relevant to other in-scope projects for the Pathway to 2030 workstream where it is efficient to consider them as part of the scope of the HND.</p> <p>The existing regulatory regime is based on radial connections and this is the approach that has been taken by the Applicant which has been supported by NGENSO and is indirectly endorsed by the HND recommendations.</p> <p>This site is not in the scope of the HND, but NPS EN-1 is clear that radial connections may continue to be the most appropriate approach for single offshore wind projects.</p> |
| | | | | 2.8.64 | Where applicants seek consent for offshore transmission infrastructure separately from proposals for offshore wind development, for example Multi-Purpose Interconnectors or subsea 'onshore' transmission also referred to as bootstraps, (see Glossary and 2.12.3 in EN-5), consideration should be given at a strategic level to the overall environmental impacts of the offshore development and transmission infrastructure. | The DCO Application seeks consent for offshore wind generator and the required infrastructure for connection to the grid. Therefore, the paragraph of 2024 NPS EN-3 does not have a material impact in the consideration of the Proposed Development. |
| Technical considerations for the IPC when determining consent | 2.6.37 2.6.40 | – Where the applicant has identified a precise route for the cable from the wind farm to a precise location for the onshore substation and connection to the transmission network, the EIA | Technical considerations Network connection | 2.8.67 – 2.8.72 | In addition, the applicant is expected to define the precise route for offshore transmission infrastructure, including the wind farm export cable to the offshore transmission network connection point or onshore connection point, the onshore | ES Chapter 4: The Proposed Development, Volume 2 [APP-045] presents the description of the onshore transmission system (which extends from the landfall at Climping, via |

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| <p>applications for offshore wind farms</p> <p>Grid connection infrastructure</p> | | <p>should assess the effects of the cable.</p> <p>Where the applicant does not know the precise location of any cabling or any necessary onshore and/or offshore substations, a corridor should be identified within which the cable and any offshore substation is likely to be located. The EIA for the proposed project should assess the effects of including this infrastructure within that corridor.</p> <p>Where the point of onshore connection is unknown at the time of the application, the applicant should assess a corridor from the wind farm to the shore that is considered to be a reasonably likely area for the cable and any offshore substation should be assessed as part of the EIA.</p> <p>A proposed offshore electricity cable connecting the wind farm with the onshore electricity infrastructure and any offshore electricity substations that may be required, may constitute associated development, depending on their scale and nature in relation to the offshore wind farm ¹⁵⁰. Where the IPC is satisfied that such offshore infrastructure does constitute associated development and can form part of the application, it should be considered by the IPC in accordance with this NPS.</p> | | | <p>and offshore locations of any associated infrastructure such as substations or the location of bootstraps/ subsea 'onshore' transmission. Please refer to definitions of offshore transmission in EN-5 at 2.12.3 - 2.12.16.</p> <p>The applicant should assess the effects of the offshore transmission and any associated infrastructure on the marine, coastal and onshore environment.</p> <p>Where the applicant does not know the precise location of the offshore transmission cables and any associated infrastructure, a corridor should be identified within which the specific infrastructure is proposed to be located.</p> <p>The ES for the proposed project should assess the effects of including this infrastructure within that corridor.</p> <p>Applicants are expected to demonstrate compliance with mitigation measures identified by The Crown Estate in any plan- level HRA produced as part of its leasing rounds and with any future statutory requirements, guidance or mitigation measures developed to deliver the commitments in the British Energy Security Strategy, including on Offshore Wind Environmental Standards (see 2.8.90 – 2.8.92 below) and other measures under the Offshore Wind Environmental Improvement Package which covers offshore wind electricity infrastructure. Assessment of environmental effects of transmission infrastructure and any proposed offshore or onshore substations should assess effects both alone and cumulatively with other existing and proposed infrastructure.</p> | <p>underground cable to the proposed onshore substation at Oakendene, near Cowfold, and on to the existing National Grid Bolney substation extension works) and the associated infrastructure.</p> <p>Further details regarding proposed offshore route and method of installation are provided in the Cable and Grid Connection Statement [APP-034].</p> <p>The Applicant has assessed the effects of the offshore and onshore transmission and associated infrastructure within Chapter 6 Coastal processes, Volume 2 [APP-047] to ES Chapter 29 Climate change, Volume 2 [APP-070]. The ES includes an assessment of the construction, operation and maintenance, and decommissioning, including the cumulative effects, in each of the relevant onshore topic specific chapters in Volume 2.</p> <p>Following the outcome of TCE's planned Habitats Regulations Assessment (HRA), a new company RED was set up and was awarded the development rights for Rampion 2 in September 2019. As part of the offshore wind farm site selection process for Rampion 2, detailed assessments and evaluations of potential developable areas were undertaken to ensure the best possible site could be brought forward in the context of the TCE HRA.</p> |

¹⁵⁰ "Guidance on associated development: Applications to the Infrastructure Planning Commission", can be found at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/guidanceassocdevelopment.pdf>

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| | | | | 2.8.73 | Applicants should include details on how avoidance has been achieved, good design principles have been followed and provide proposals for mitigation. If the development is in English and Welsh waters, they should also demonstrate that they have considered how their proposals can contribute towards environmental net gain. Further information is provided in Sections 4.3, and 4.5 to 4.7 of EN-1. | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | | | <p>ES Chapter 3, Alternatives, Volume 2 [APP-044] presents the staged design process and principles that have been followed. Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrates that the potential environmental impacts of the Proposed Development have been comprehensively assessed. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in the design of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements. These embedded environmental measures also include those that have been identified as good or standard practice and include actions that will be undertaken to meet existing legislation requirements.</p> |
| | | | | | | <p>The Applicant has made a commitment for the Proposed Development to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information.</p> |
| | | | | | | <p>Whilst Marine Net Gain is not currently mandated in the same way as onshore (terrestrial) Biodiversity Net Gain, RED is currently exploring opportunities to</p> |

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| | | | | | | partner with organisations who are able to deliver marine benefits in the region. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | 2.6.41 | The onshore element of the grid connection (electric lines and substations) should be determined in accordance with the Electricity Networks Infrastructure NPS, EN-5. Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right. | Secretary of State decision making Technical considerations Network connection | 2.8.286 – 2.8.290 | A proposed offshore electricity transmission cable connecting the wind farm or wind farms with the onshore electricity network (noting that this may be an offshore transmission connection point), and any offshore electricity substations that may be required, may constitute associated development, depending on their scale and nature in relation to the offshore wind farm(s). Where the Secretary of State is satisfied that such offshore infrastructure does constitute associated development and can form part of the application, it should be considered by the Secretary of State in accordance with this NPS. However, some proposals for transmission could be consented separately to the windfarm (array), see paragraphs 2.8.38 following above and paragraph 1.3.5 in EN-1. The Secretary of State should assess the onshore element(s) of the grid connection (e.g. electric lines, substations) in accordance with the guidelines and requirements contained in EN-5. Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right. | The DCO Application seeks consent for offshore wind generators, offshore infrastructure, and the required infrastructure for connection to the grid. The Planning Statement [APP-036] outlines compliance with NPS EN-5. The Proposed Development therefore accords with these paragraphs of the 2022 NPS EN-3 and 2024 NPS EN-3. |
| | | | Factors influencing site selection and design Marine Protected Areas | 2.8.51 – 2.8.53 | The UK Government has obligations to protect the marine environment with a network of well managed Marine Protected Areas (MPAs), which also includes Highly Protected Marine Areas (HPMAs). MCZs together with HPMAs, SACs SPAs, and Ramsar sites and marine elements of SSSIs form an ecologically coherent network of MPAs. Government has set a target for MPA condition under the Environment Act 2021. Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, | A Draft MCZ Assessment [APP-040] has been submitted. There is no risk of the Proposed Development hindering the conservation targets of the identified attributes or the achievement of the conservation objectives stated for the MCZs assessed. There are two MCZs within the vicinity of the Proposed Development fish and shellfish Study Area, the Kingmere MCZ (protected feature includes black |

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| | | | | | <p>applicants will need to give close consideration to impacts on MPAs, either alone or in combination, and employ the mitigation hierarchy, and if necessary, provide compensation (both individually and in combination with other plans or projects) which may be needed to approve their projects.</p> <p>It is likely that mitigation may include proactive measures to reduce the impact of deployment e.g., micrositing of offshore transmission routes to avoid vulnerable habitats, alternatives piling or trenching techniques, noise abatement technology, collision avoidance methods, or if necessary, compensation for habitat loss. See Section 2.8.80 for Offshore Wind Environmental Standards.</p> | <p>seabream (<i>Spondyliosoma cantharus</i>) and the Selsey Bill and The Hounds MCZ (protected feature includes European native oyster (<i>Ostrea edulis</i>)). However, the proposed Order Limits do not cross any MCZs. Any potential impacts to fish and shellfish features of the identified MCZs have been assessed in Sections 8.9, 8.10 and 8.11 of ES Chapter 8 Fish and shellfish ecology, Volume 2 [APP-049]. There are no significant effects on the features of these MCZs. There are three MCZs within the benthic subtidal and intertidal ecology study area (secondary ZOI), which comprise of the Kingmere, Offshore Overfalls and Pagham Harbour MCZs. Benthic features of these MCZs have been assessed within Section 9.9 to 9.12 of ES Chapter 9, Benthic, subtidal and intertidal ecology [APP-050]. There are no significant effects on the features of these MCZs.</p> <p>The closest HPMA to the Proposed Development is the Dolphin Head HPMA, which is designated for benthic habitats and features as well as the general marine ecosystem of the area. The offshore element of the Proposed Development is located approximately 29km from the location of the Dolphin Head HPMA at its closest point. The Dolphin Head HPMA was designated in June 2023 posterior to the writing of the ES which was submitted to the Planning Inspectorate in August 2023. Due to its distance from the Project, there will be no direct or indirect impacts to benthic features or habitats of the Dolphin Head HPMA. The maximum distance that temporary localised increases in suspended sediment concentrations (SSC) and</p> |

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| | | | | | | <p>sediment deposition are expected to reach is a 16-kilometre (km) buffer from the array and the offshore export cable route, informed by the tidal excursion extent and coastal processes modelling undertaken as described in Chapter 6: Coastal processes, Volume 2 of the ES [APP-047]. The Dolphin Head MPMA would therefore be screened out of any further assessment.</p> |
| | | | | <p>2.8.55 - 2.8.56</p> | <p>The British Energy Security Strategy has committed to introducing mechanisms to support strategic compensatory measures, including for projects already in the consenting process (where possible), to offset environmental impacts and reduce delays to individual projects. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to make good any remaining significant adverse effects to site integrity. Applicants are expected to seek advice from SNCBs and Defra for projects in England, in conjunction with relevant regulators, Local Planning Authorities and/or landowners, on potential mitigation and/or compensation requirements at the earliest opportunity and comply with future statutory requirements and/or guidance once available.</p> | <p>The Applicant's Habitats Regulations Assessment derogation case [APP-039] outlines the 'without prejudice' derogation case and approach to compensation.</p> <p>The Applicant's preferred options for compensation are to provide a monetary contribution to strategic compensation via the Marine Recovery Fund MRF, or to collaborate with another offshore wind farm developer to provide an artificial nesting structure (ANS) for kittiwake. Details regarding the implementation of these measures will be provided once agreements regarding monetary contributions or partnerships are made. If other compensation measures are deemed necessary, details regarding the implementation of these measures will be provided in the Final Kittiwake Implementation and Management Plan (KIMP), which will be developed in collaboration with Natural England (SNCB) and other stakeholders. An Outline Kittiwake Implementation and Monitoring Plan is included in Appendix A of the Habitats Regulations Assessment (HRA) derogation case [APP-039].</p> |

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| Flexibility in the project details | 2.6.42 | <p>Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the IPC, possibly including:</p> <ul style="list-style-type: none"> • precise location and configuration of turbines and associated development; • foundation type; • exact turbine tip height; • cable type and cable route; and • exact locations of offshore and/or onshore substations | Flexibility in the project details | 2.8.74 – 2.8.75 | <p>Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State. Such aspects may include:</p> <ul style="list-style-type: none"> • the precise location and configuration of turbines and associated development. • the foundation type and size. • the installation technique or hammer energy. • the exact turbine blade tip height and rotor swept area. • the cable type and precise cable or offshore transmission route. • the exact locations of offshore and/or onshore substations. <p>Guidance on how applicants should manage flexibility is set out at section 2.6 of this NPS and 4.3 of EN-1.</p> | <p>As set out within Volume 2, Chapter 5 of the ES: Approach to the EIA [APP-046], the ES adopts a ‘Rochdale Envelope’ or parameter-based design envelope approach. The Proposed Development was refined throughout the pre-application stage to ensure a robust Rochdale Envelope.</p> <p>Chapter 4: The Proposed Development, Volume 2 of the ES [APP-045] provides an overview of how the design envelope approach has been undertaken. Decisions on exact locations of infrastructure and the precise technologies and construction methods employed will be made at the detailed design stage. Such design decisions may include the precise models and dimensions of wind turbine generators (WTG) which will be available at the time of placing orders for the Proposed Development, final offshore WTG layout design to optimise wind energy capture, and detailed engineering factors for both the offshore and onshore infrastructure. The use of this approach has been adopted for this Environmental Statement (ES) and also enables the Environmental Impact Assessment (EIA) to be based on a description of the location, design and size of the Proposed Development that is suitable to allow an assessment of its likely significant environmental effects.</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.43 | In accordance with Section 4.2 of EN-1, the IPC should accept that wind farm operators are unlikely to know precisely which turbines will be | | 2.6.1 – 2.6.3 | Where details are still to be finalised applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case. | ES Chapter 4 the Proposed Development, Volume 2 [APP-045] outlines that the description of the Proposed Development is indicative |

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| | | <p>procured for the site until some time after any consent has been granted. Where some details have not been included in the application to the IPC, the applicant should explain which elements of the scheme have yet to be finalised, and the reasons. Therefore, some flexibility may be required in the consent. Where this is sought and the precise details are not known, then the applicant should assess the effects the project could have (as set out in EN-1 paragraph 4.2.8) to ensure that the project as it may be constructed has been properly assessed (the Rochdale Envelope) ¹⁵¹. In this way the maximum adverse case scenario will be assessed and the IPC should allow for this uncertainty in its consideration of the application and consent.</p> | | | <p>Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed. ¹⁵² Full guidance on how applicants and the Secretary of State should manage flexibility is set out in Section 4.3 of EN-1.</p> | <p>and a 'design envelope' approach has been adopted which takes into account Planning Inspectorate Advice Note Nine: Rochdale Envelope, July 2018 (Planning Inspectorate, 2018). The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. ES Chapter 5: Approach to the EIA, Volume 2 [APP-046] describes the approach where the design is still evolving. A precautionary approach has been applied to ensure a maximum design scenario (MDS) which represents the worst-case scenario for each aspect is assessed in the ES. Chapter 4: The Proposed Development, Volume 2 [APP-045] of the ES provides a clear summary of the Proposed Development and the parameters for the DCO Application, which are also presented separately in Appendix 4.3: Proposed Development Parameters, Volume 4 of the ES [APP-124]. Where optionality is present, a maximum design scenario is implemented to inform the technical assessments. Details on the maximum design scenario is provided in Chapter 4: The Proposed Development [APP-045] and the aspect Chapters 6: Coastal processes to 29: Climate change,</p> |

¹⁵¹ Case law (for example Rochdale MBC Ex. Parte C Tew 1999) provides a legal principle that indicative sketches and layouts cannot provide the basis for determining applications for EIA development. The "Rochdale Envelope" is a series of maximum extents of a project for which the significant effects are established. The detailed design of the project can then vary within this 'envelope' without rendering the ES inadequate.

¹⁵² Case law, beginning with R v Rochdale MBC Ex p. Tew [2000] Env.L.R.1 establishes that while it is not necessary or possible in every case to specify the precise details of development, the information contained in the ES should be sufficient to fully assess the project's impact on the environment and establish clearly defined worst case parameters for the assessment. This is sometimes known as 'the Rochdale Envelope'. See <https://infrastructure.planninginspectorate.gov.uk/legislation-andadvice/advice-notes/advice-note-nine-rochdale-envelope>

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| Micrositing | 2.6.44 | Any consent that is granted by the IPC should be flexible to allow for necessary micrositing of elements of the proposed wind farm during its construction where requested at the application stage. This allows for unforeseen events such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ. | Micrositing and microrouting | 2.8.77 – 2.8.78 | To inform micrositing/microrouting applicants should undertake high-resolution survey work and make provision for investigative work, such as archaeological examination, to assess the impacts of any proposed cables or foundation placement on potential heritage assets. Applicants should submit an outline archaeological Written Scheme of Investigation (WSI) as part of the DCO submission, with a commitment to complete a project specific WSI post-consent in consultation with Historic England. | <p data-bbox="2288 394 2813 464">Volume 2 of the ES [APP-047 – APP-070].</p> <p data-bbox="2288 499 2813 596">The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> <p data-bbox="2288 625 2813 1037">An Outline Onshore Written Scheme of Investigation (WSI) [APP-231] has been prepared to manage impacts to archaeological remains during construction of the onshore elements of the Proposed Development. The Outline Onshore WSI [APP-231] makes provision for an appropriate level of archaeological investigation and recording and this will be secured by Requirement 19 of the draft DCO [PEPD-009].</p> <p data-bbox="2288 1073 2813 1934">As part of the Proposed Development design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on marine archaeology. These are set out within table 16-16 of ES Chapter 16 of the ES: Marine archaeology, Volume 2 [APP-057]. This includes conducting geophysical and geotechnical surveys throughout the lifetime of the project (as per C-58 and C-59 in the Commitments Register [REP1-015]). Archaeological assessment of the data collected as part of these surveys will provide a greater understanding of the archaeological significance and potential of the development area, and to locations of sites and areas that will be avoided. As per C-60 (Commitments Register [REP1-015]), all intrusive activities undertaken offshore during the life of the project will be routed and microsited to avoid any identified</p> |

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| | | | | | | <p>marine heritage receptors pre-construction, with Archaeological Exclusion Zones (AEZs). This is detailed in the Outline Marine Written Scheme of Investigation (offshore) submitted with the application [APP-235].</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.45 | Where micrositing tolerance is requested by the applicant in any consent, given that the EIA should assess a maximum adverse case scenario, the assessment should reflect the implications of any micrositing as far as reasonably possible. | | 2.8.79 | Where the applicant requests micrositing or microrouting tolerance, and insofar as it is reasonably possible to do so, the applicant should factor this tolerance into the environmental impact assessment of the development's worst-case scenario. ¹⁵³ | <p>As set out within ES Chapter 5: Approach to the EIA Volume 2 [APP-046], the ES adopts a 'Rochdale Envelope' or parameter-based design envelope approach. The design is outlined in ES Chapter 4: The Proposed Development, Volume 2 [APP-045]. The provision of a design envelope is intended to identify key design assumptions to enable the environmental assessment to be carried out whilst retaining enough flexibility to accommodate further refinement during detailed design. A maximum design scenario is implemented to inform the technical assessments inclusive of the potential impacts of micrositing. Details on the maximum design scenario is provided in Chapter 4: The Proposed Development [APP-045] and the aspect Chapter 6: Coastal processes to 29: Climate change, Volume 2 of the ES [APP-047 – APP-070].</p> <p>The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

¹⁵³ In relation to uncertainty about routing details of the project, applicants should have regard to the concept of the 'Rochdale Envelope', as established in R v Rochdale Metropolitan Borough Council, ex parte Tew [2000] Env. L.R. 1 and subsequent caselaw.

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| | | | Secretary of State decision making Factors influencing site selection and design <i>Flexibility in the project details</i> | 2.8.291 | In addition to guidance set out at 2.6 of this NPS and section 4.3 of EN-1 the Secretary of State should consider paragraph 2.8.140 in relation to ornithological headroom in this NPS. | See responses to paragraph 2.8.140 of 2024 NPS EN-3 above. The Proposed Development accords with the paragraph of 2024 NPS EN-3. |
| | | | Secretary of State decision making Technical considerations <i>Flexibility in the project details</i> | 2.8.292 – 2.8.293 | Where requested by the applicant, any consent granted by the Secretary of State should be flexible enough to allow for such micrositing or microrouting changes as may be advised during and after the application stage. This allows for unforeseen events, such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ. The Secretary of State must also be satisfied that there is sufficient space to microsite/microroute for any proposal to be acceptable as a mitigation (e.g. any feature to avoid must not cover the full width of the assessed cable corridor). | As part of the Proposed Development design process, a number of embedded environmental measures have been adopted to reduce the potential for impacts on marine archaeology. These are set out within table 16-16 of ES Chapter 16 of the ES: Marine archaeology, Volume 2 [APP-057] . This includes conducting geophysical and geotechnical surveys throughout the lifetime of the project (as per C-58 and C-59 in the Commitments Register [REP1-015]). Archaeological assessment of the data collected as part of these surveys will provide a greater understanding of the archaeological significance and potential of the development area, and to locations of sites and areas that will be avoided. |
| | | | | | | As per C-60 (Commitments Register [REP1-015]), all intrusive activities undertaken offshore during the life of the project will be routed and microsited to avoid any identified marine heritage receptors pre-construction, with Archaeological Exclusion Zones (AEZs). This is detailed in the Outline Marine Written Scheme of Investigation (offshore) submitted with the application [APP-235] . |
| | | | | | | The Proposed Development accords with the paragraph of 2024 NPS EN-3. |

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| Extensions | 2.6.46 – 26.6.47 | The Crown Estate may offer new leases in areas adjacent to existing consented wind farms. This could be to either the owner/operator of the existing site or to a different company from that operating the existing wind farm. These leases will form extensions to existing wind farms. Leases may be awarded subject to the company obtaining the necessary consents and may be subject to various constraining conditions, including the presence of an existing operational wind farm. | Other locational considerations Seabed leasing Extensions | 2.3.12 – 2.3.14 | Applicants must obtain a lease from The Crown Estate or Crown Estate Scotland prior to placing any offshore structures on, or passing cables over, the seabed and its foreshore. The Crown Estate may offer new leases in areas adjacent to existing consented wind farms. This could be to either the owner/operator of the existing site or to a different company from that operating the existing wind farm. These leases will form extensions to existing wind farms. Leases may be awarded subject to the company obtaining the necessary consents and may be subject to various constraining conditions, including the presence of an existing operational wind farm. | The offshore element of the Proposed Development will be located within an Area of Search adjacent to the existing Rampion 1 project comprising a seabed area awarded in 2019 under The Crown Estate (TCE) wind farm extension process (to the west of Rampion 1) and part of remainder of the original Round 3 Zone 6 area (to the south and east of Rampion 1). Agreements for Lease have been entered into with TCE for both of these seabed areas. There will also be with a small link or 'bridge' area between the two areas for cabling, as well as an agreement for lease for the marine export cable to shore. |
| | 2.6.48 | The IPC should be aware of the potential for applications for extensions to existing wind farms and that there may be constraints on such leases over which the applicant will have little or no control. | | 2.3.15 | The Secretary of State should be aware of the potential for applications for extensions to existing wind farms and that there may be constraints on such leases over which the applicant will have little or no control. | Section 3.2 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044] outlines the consideration of site selection. In 2018, The Crown Estate (TCE) invited the owners of existing Round 3 wind farms to consider potential extensions of those schemes. Rampion Offshore Wind Limited (the owner of Rampion 1) applied to TCE for an extension to Rampion 1 through this wind farm extension leasing process. Following the outcome of TCE's plan-led Habitats Regulations Assessment (HRA), a new company RED was set up and was awarded the development rights for Rampion 2 in September 2019. As part of the offshore wind farm site selection process for Rampion 2, detailed assessments and evaluations of potential developable areas were undertaken to ensure the best possible site could be brought forward. This considered the following areas: <ul style="list-style-type: none"> • sites in proximity to the existing development under the TCE Extensions Round process; |

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| | | | | | | <ul style="list-style-type: none"> • the remaining parts of the TCE Round 3, Zone 6 area which comprises: • residual areas not included within the Rampion 1 Application at the time of TCE Round 3 in 2013; and • the additional areas consented as part of the Rampion 1, but which were not developed as part of the original Rampion 1 scheme. <p>The site selection assessments have been supported by detailed consideration of the findings of the original Rampion 1 EIA and its subsequent Examination process, together with the knowledge and understanding gained through the post-consent and construction phases of Rampion 1. All of these have provided additional insight and understanding of the relevant environmental sensitivities and the range of other constraints applicable for the Rampion 2 proposals.</p> |
| | | | Future monitoring | 2.8.83-2.8.87 | <p>Where requested by the Secretary of State applicants are required to undertake environmental monitoring (e.g., ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation. Monitoring must measure and document the effects of the development and the efficacy of any associated mitigation or compensation. This will enable an assessment of the accuracy of the original predictions and improve the evidence base for future mitigation and compensation measures enabling better decision-making in future EIAs and HRAs. Monitoring should be presented in formal reports which must be made publicly available. Monitoring data should be provided to The Crown Estate’s Marine Data Exchange.</p> | <p>The Offshore In Principle Monitoring Plan [APP-240] sets out the basis for delivering offshore monitoring measures for the Proposed Development as expected to be required under the Deemed Marine Licences (comprising Schedules 11 and 12 of the draft DCO [PEPD-009]).</p> |

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| | | | | | Where appropriate, applicants are also encouraged to consider monitoring collaboratively with other developers and sea users. Work is ongoing between government and industry to support effective collaboration and the development of monitoring at a strategic level. | |
| Future monitoring | 2.6.51 2.6.52 | – Owing to the relatively new and complex nature of offshore wind development, the IPC should consider requiring the applicant to undertake monitoring prior to and during construction and during its operation in order to measure and document the effects of the development. This enables an assessment of the accuracy of the original predictions and may inform the scope of future EIAs. The IPC may consider that monitoring of any impact is appropriate. Monitoring should be presented in formal reports which should be made publicly available. | Secretary of State decision making Technical considerations Future monitoring | 2.8.295 - 2.8.296 | Owing to the complex nature of offshore wind development, and the difficulty in establishing the evidence base for marine environmental recovery the Secretary of State should, where appropriate, request the applicant undertake environmental monitoring (e.g. ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation. The Secretary of State may consider that monitoring of any impact is appropriate. | The Offshore In Principle Monitoring Plan [APP-240] sets out the basis for delivering offshore monitoring measures for the Proposed Development as expected to be required under the Deemed Marine Licences (comprising Schedules 11 and 12 of the draft DCO [PEPD-009]). The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3. |
| Decommissioning | 2.6.53 2.6.54 | - Section 105 of the Energy Act 2004 enables the Secretary of State to require the submission of a decommissioning programme for a proposed offshore wind farm, provided at least one of the statutory consents required has been given or has been applied for and is likely to be given. Where the IPC decides to grant consent for a proposed offshore wind farm, the IPC should include a condition requiring the applicant to submit a decommissioning programme to the Secretary of State before any offshore construction works begin. The decommissioning | Technical considerations Network connection Decommissioning | 2.8.88 – 2.8.89 | Section 105 of the Energy Act 2004 enables the Secretary of State to require the submission of a decommissioning programme for a proposed offshore wind farm, provided at least one of the statutory consents required (including one under the 2008 Act) has been given or has been applied for and is likely to be given. Where requested by the Secretary of State applicants should submit a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 ¹⁵⁴ before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning. | The requirement for a decommissioning programme to be approved prior to offshore works commencing is captured within Part 2, Requirement 11 of the Draft DCO [PEPD-009] . The Proposed Development therefore accords with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3. |

¹⁵⁴ [Decommissioning offshore renewable energy installations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/decommissioning-offshore-renewable-energy-installations)

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| | | programme must satisfy the requirements of s.105(8) of the Energy Act 2004. | | | | |
| Other locational considerations | 2.6.57 | As most renewable energy resources can only be developed where the resource exists and where economically feasible, the IPC should not use a sequential approach in the consideration of renewable energy projects (for example, by giving priority to the re-use of previously developed land for renewable technology developments). | | | | <p>In terms of the onshore element of the Proposed Development, agriculture is the main land use, although the proposed DCO Limits for the onshore cable corridor construction works also includes some recreational land, Public Open Space (POS), and Open Access Land (OAL). Historical mapping does not indicate previous development of these areas. Urban areas within the proposed DCO Order Limits for the onshore cable corridor construction works are generally limited to roads and railways, and small areas of previously developed land (e.g., at the existing National Grid Bolney Substation). Further information can be found in Sections 20.6.7 - 20.06.10 of ES Chapter 20: Soils and agriculture, Volume 2 [APP-061].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | | | Offshore wind environmental standards | 2.8.90 – 2.8.92 | As part of the Offshore Wind Environmental Improvement Package set out in the British Energy Security Strategy, Government committed to establishing Offshore Wind Environmental Standards (OWES; previously referred to as Nature Based Design Standards) to accelerate deployment whilst offering greater protection of the marine environment. OWES aim to support developers to take a more consistent approach to avoiding, reducing, and mitigating the impacts of an offshore wind farms and/or offshore transmission infrastructure. The measures could apply to the design, construction, operation and decommissioning of offshore wind farms and offshore transmission (as defined in EN-5 at section 2.12). | <p>The 2024 NPS identifies that a series of OWES will be consulted on and OWES Guidance then produced. The change also states that any departure from OWES should be detailed in application documents.</p> <p>The OWES has not be brought forward, and no OWES Guidance drafted. The paragraphs therefore have no material relevance to the consideration of the Proposed Development.</p> |

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| | | | | | <p>Defra will consult on a series of OWES before drafting clear OWES Guidance, which sets out where and how Defra expects each measure to be applied to a development. Once the OWES Guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their applications.</p> <p>Applicants should explain how their proposals comply with the guidance or, alternatively, the grounds on which a departure from them is justified. Any reasons for departure from the OWES should be fully detailed within the application documents, with details of any agreements made with statutory consultees.</p> | |
| | | | Secretary of State decision making Offshore wind environmental standards | 2.8.298 – 2.8.299 | <p>Once the OWES Guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their application. The Secretary of State will consider an application for development consent in accordance with the OWES Guidance and/or its targets. Whether an application conforms to the OWES Guidance and/or targets (or any justification for departing from them) is likely to be material to the decision on development consent and, where relevant, will inform the Secretary of State's Habitats Regulations Assessment and Marine Conservation Zone assessment.</p> | <p>The 2024 NPS identifies that a series of OWES will be consulted on and OWES Guidance then produced. The change also states that any departure from OWES should be detailed in application documents. The OWES has not be brought forward, and no OWES Guidance drafted. The paragraphs therefore have no material relevance to the consideration of the Proposed Development.</p> |
| Offshore Wind Farm Impacts – Biodiversity Introduction | 2.6.58 | Generic ecology and biodiversity effects are covered in detail in Section 5.3 of EN-1. The coastal change policy in Section 5.5 of EN-1 may also be relevant. In addition, there are specific considerations which apply to offshore wind energy infrastructure proposals as discussed below. | Impacts Biodiversity and ecological conservation | 2.8.95 - 2.8.97 | <p>Generic biodiversity and ecology effects and receptors are covered in detail in Section 5.4 of EN-1.</p> <p>The coastal change policy in Section 5.6 of EN-1 may also be relevant.</p> <p>Impacts on the physical environment may have indirect effects on marine biodiversity.</p> | <p>See responses to EN-1. Effects on marine biodiversity are assessed within the ES for Rampion 2, and in particular within:</p> <ul style="list-style-type: none"> • Volume 2, Chapter 8 of the ES: Fish and shellfish ecology [APP-049]; • Volume 2, Chapter 9 of the ES: Benthic, subtidal and intertidal ecology [APP-050]; • Volume 2, Chapter 11 of the ES: Marine mammals [REP1-004]; and • Volume 2, Chapter 12 of the ES: Offshore and intertidal ornithology [APP-053]. |

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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3 |
| | 2.6.59 | Biodiversity considerations to which applicants and the IPC should have regard concerning offshore infrastructure include: <ul style="list-style-type: none"> • fish; • seabed habitats – intertidal and subtidal; • marine mammals; and • birds | | 2.8.98 | In addition, applicants should have regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments, namely: <ul style="list-style-type: none"> • fish (see Section 2.8.250 of this NPS). • intertidal and subtidal seabed habitats and species (see Section 2.8.233 of this NPS). • marine mammals (see Section 2.8.237 of this NPS). • birds (see Section 2.8.240 of this NPS); and • wider ecosystem impacts and interactions, and other relevant protected migratory species. | <p>ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] examines the likely significant effects that may be experienced as a result of the Proposed Development on fish and shellfish ecology receptors.</p> <p>ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] examines the likely significant effects that may be experienced as a result of Rampion 2 on benthic subtidal and intertidal ecology receptors.</p> <p>ES Chapter 11: Marine mammals, Volume 2 [REP1-004] examines the likely significant effects that may be experienced as a result of the Proposed Development with respect to marine mammals.</p> <p>ES Chapter 12 ES: Offshore and intertidal ornithology, Volume 2 [APP-053] examines the likely significant effects that may be experienced as a result of the Proposed Development on offshore and intertidal ornithology.</p> <p>ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063] considers the likely significant effects of the Proposed Development on a range of terrestrial features.</p> |
| | | | | | | <p>A Report to Inform Appropriate Assessment (RIAA) [APP-038] has also been provided in tandem with this ES to specifically address the potential effects on European sites and their designated features within the</p> |

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| | | | | | | framework of the Conservation of Habitats and Species Regulations 2017 (as amended). |
| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.6.62 | Evidence from existing offshore wind farms demonstrates that it has been possible to locate wind farms in ecologically sensitive areas where careful siting of turbines has been undertaken following appropriate ecological surveys and assessments. | | 2.8.99 | Evidence from existing offshore wind farms demonstrates that it has been possible to locate wind farms and transmission cabling in ecologically sensitive areas where careful siting of turbines has been undertaken following appropriate ecological surveys and assessments. | <p>The Proposed Development has been through an iterative design process and has sought to avoid ecologically sensitive areas where possible.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.63 | Effects of offshore wind farms can include temporary disturbance during the construction phase (including underwater noise) and ongoing disturbance during the operational phase and direct loss of habitat. Adverse effects can be on spawning, overwintering, nursery and feeding grounds and migratory pathways in the marine area. However, the presence of wind turbines can also have positive benefits to ecology and biodiversity. | | | | <p>ES Chapter 8: Fish and ecology, volume 2 [APP-049] examines the likely significant effects that may be experienced as a result of the Proposed Development on fish and shellfish ecology receptors. The assessment focuses on the construction, operational and decommissioning phases of the development. Particular attention has been given to impacts on fish species at key life stages such as during spawning or on known nursery habitats, and on features of protected sites (see Section 8.6).</p> <p>In addition, the Applicant has made a commitment for the Proposed Development to deliver a Biodiversity Net Gain of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development.</p> <p>Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information. The Applicant has also provided positive ecological</p> |

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| | | | | | | <p>enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | | | | 2.8.100 | <p>However, with increasing deployment of offshore wind to 2030 and beyond, with a likely focus on deployment of fixed offshore wind in the shallow waters of the North Sea, it is likely that the cumulative impact of multiple wind farms and electricity networks infrastructure on the marine environment will increase impacts beyond identified thresholds for increasing numbers of species and habitats, leading to increased requirements for both mitigation and compensation for impacts to be acceptable.</p> | <p>A cumulative effects assessment (CEA) has been carried out for the Proposed Development in accordance with the EIA Regulations 2017 and Planning Inspectorate's Advice Note Seventeen: Cumulative effects assessment relevant to NSIPs (The Planning Inspectorate, 2019). The CEA for each aspect is detailed in Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES. Further details on the criteria used to identify other developments for the onshore CEA are included in Appendix 5.3: Cumulative effects assessment detailed onshore search and screening criteria, Volume 4 [APP-127], and the short list of other developments considered in the assessment for both onshore and offshore are set out in Appendix 5.4: Cumulative effects assessment shortlisted developments, Volume 4 [APP-128].</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.64 | Assessment of offshore ecology and biodiversity should be undertaken by | | 2.8.101 | Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and | The potential effects associated with the construction, operation and |

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| | | <p>the applicant for all stages of the lifespan of the proposed offshore wind farm and in accordance with the appropriate policy for offshore wind farm EIAs.</p> | | | <p>physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1).</p> | <p>decommissioning of the Proposed Development on shellfish ecology have been assessed in Section 8.9 to 8.11 of ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049]. The potential effects associated with the construction, operation and decommissioning of the Proposed Development on benthic, subtidal and intertidal ecology have been assessed in Section 9.9 to 9.12 of ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>The potential effects associated with the construction, operation and decommissioning of the Proposed Development on marine mammals have been assessed in Sections 11.9 to 11.12 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004]. The potential effects associated with the construction, operation and decommissioning of the Proposed Development on offshore and intertidal ornithology have been assessed in Section 12.12 to 12.14 of ES Chapter 22: Terrestrial ecology and nature conservation, Volume 2 [APP-063]. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.102 | <p>Applicants need to consider environmental and biodiversity net gain as set out in Section 4.6 of EN-1 and the Environment Act 2021.</p> | <p>The Applicant has made a commitment for the Proposed Development to deliver a BNG of at least 10% for all onshore and intertidal (above the low water mark) habitats subject to permanent or temporary losses as a result of the construction and operation of the Proposed Development. Biodiversity Net Gain information, Volume 4, Appendix [APP-193] sets out further information.</p> |

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| | | | | | | <p>The Applicant has also provided positive ecological enhancement proposals within the Outline LEMP [APP-232] which provides the proposed approach to the landscaping and habitat creation at the onshore substation at Oakendene and the existing National Grid Bolney substation extension works and reinstatement for the works associated with the onshore cable corridor.</p> <p>Whilst Marine Net Gain is not currently mandated in the same way as onshore (terrestrial) Biodiversity Net Gain, RED is currently exploring opportunities to partner with organisations who are able to deliver marine benefits in the region.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.103 | Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects. | <p>Both the positive and negative effects of the Proposed Development on marine ecology and biodiversity have been assessed within the relevant chapters of the ES outlined in the response to 2024 NPS EN-3 paragraph 2.8.98.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.65 | Consultation on the assessment methodologies should be undertaken at early stages with the statutory consultees as appropriate. | | 2.8.104 – 2.8.105 | Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for profit organisations/non-governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options should be undertaken. In developing proposals applicants must refer to the most recent best practice advice originally | As set out within ES Chapter 5: Approach to the EIA, Volume 2 [APP-046] consultation and engagement has been central to the delivery of the EIA. A range of statutory consultation and non-statutory consultation has been carried out, including on the assessment methodologies, baseline data |

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| | | | | | provided by Natural England under the Offshore Wind Enabling Action Programme , and/or their relevant SNCB. | collection, and potential avoidance, mitigation and compensation options. Specific information on any feedback received is presented in the individual environmental aspect chapters (Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES) which include a ‘Consultation and engagement’ section. A Consultation Report has also been submitted [APP-027, REP1-003, APP-029, APP-030] which summarises the consultation that has been undertaken and how the responses received have influenced the application. |
| | 2.6.66 | Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational offshore wind farms should be referred to where appropriate. | | 2.8.106 | Any relevant data that has been collected as part of postconstruction ecological monitoring from existing, operational offshore wind farms should be referred to where appropriate. | Relevant data collected as part of post-construction monitoring from the operational Rampion 1 offshore wind farm and any other offshore wind farm projects has informed the assessment of the Proposed Development and is referred to where appropriate. In addition, The Marine Management Organisation (MMO) have produced a review (MMO, 2014) on post construction monitoring for offshore wind farms, within which it is noted that there have been limited effects arising on benthic communities from certain impacts. Where appropriate, this chapter cross refers to those studies, either individually or through reference to the MMO review. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.8.108 | Applicants are expected to have regard to guidance issued in respect of Marine Licence | Guidance issued in respect of Marine Licence requirements has been considered, and the Applicant has |

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| | | | | | requirements and consult at an early stage of pre-application with the MMO or NRW. | <p>engaged from the outset of the project with the MMO. Further information can be found in the 'consultation and engagement' section of the relevant ES chapters referred to in the response to 2.8.98 and the submitted Consultation Report [APP-027, REP1-003, APP-029, APP-030] which summarises the consultation that has been undertaken and how the responses received have influenced the application.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.109 | Applicants should have regard to duties in relation to Good Environmental Status (GES) of marine waters under the UK Marine Strategy ¹⁵⁵ and MPA target (including any interim target) in England, set under the Environment Act 2021. | <p>The Applicant has considered the overarching goal to achieve Good Environmental Status under the Marine Strategy Framework Directive. The protection conferred to these ecological features through legislation is accounted for within the scope of the assessment for marine mammals in ES Chapter 11: Marine mammals, Volume 2 [REP1-004] Section 11.4; scope of the assessment of fish and shellfish ecology in Section 8.4 of ES Chapter 8: Fish and shellfish, Volume 2 [APP-049]; ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] Section 9.4.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.110 | The British Energy Security Strategy commits to reviewing the Habitats Regulation Assessment process for offshore wind farm developments and powers are included in the Energy Act 2023 to | This paragraph of the 2024 NPS EN-3 sets out the BES commitment to review the HRA process for offshore wind farm developments and advises |

¹⁵⁵ [Introduction to UK Marine Strategy - Marine online assessment tool \(cefas.co.uk\)](https://www.cefas.co.uk)

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| | | | | | implement this through secondary legislation. Further guidance will be published as a separate document setting out what information assessments must contain. Once final guidance is published applicants will be expected to comply. | that further guidance will be published, that applicants will be expected to comply with. The guidance has not yet been published and therefore this paragraph has no material relevance to the consideration of the Proposed Development. |
| | 2.6.67 | The assessment should include the potential of the scheme to have both positive and negative effects on marine ecology and biodiversity. | | | | Volume 2 of the ES, and the associated technical chapters consider in detail the potential effects of the Proposed Development. With regards to marine ecology and biodiversity, the potential positive and negative effects are considered in Chapter 8: Fish and shellfish ecology [APP-049] , Chapter 9 Benthic, subtidal and intertidal ecology [APP-050] , Chapter 11 Marine mammals [REP1-004] , Chapter 12 Offshore and intertidal ornithology [APP-053] . The assessments conclude that no likely significant adverse effects are predicted to occur as a result of the construction of the Proposed Development; these conclusions extend to the findings of the RIAA on international designated sites [APP-038]. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3. |
| IPC decision making | 2.6.68 | The IPC should consider the effects of a proposal on marine ecology and biodiversity taking into account all relevant information made available to it. | Secretary of State decision making Impacts Biodiversity and ecological conservation | 2.8.302 | The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by the applicant. | Volume 2 of the ES, and the associated technical chapters consider in detail the potential effects of the Proposed Development. With regards to marine ecology and biodiversity, the potential positive and negative effects are considered in Chapter 8 Fish and shellfish ecology [APP-049] , Chapter 9 Benthic, subtidal and intertidal ecology [APP-050] , Chapter 11 Marine mammals [REP1-004] , Chapter 12 Offshore and intertidal ornithology [APP-053] . The |

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| | | | | 2.8.303 | <p>The Secretary of State should be satisfied that, in the development of their proposal, the applicant has made appropriate, and extensive, use of up-to-date evidence from previous deployments and research results from scientific peer reviewed papers and the programmes listed in paragraph 2.8.107 and assessed through HRA/MCZ processes (including the mitigation hierarchy), the impact on any protected species or habitats, as well as having regard to requirements set out in 5.4.39 of EN-1 (e.g. the Environment Act) and Good Environmental Status under the UK Marine Strategy.</p> | <p>assessments conclude that no likely significant adverse effects are predicted to occur as a result of the construction of the Proposed Development; these conclusions extend to the findings of the RIAA on international designated sites [APP-038]. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> <p>The Applicant has taken into account relevant up-to-date research in undertaking the ES. The Applicant has considered the overarching goal to achieve Good Environmental Status under the Marine Strategy Framework Directive. The protection conferred to these ecological features through legislation is accounted for within the scope of the assessment for marine mammals in ES Chapter 11: Marine mammals, Volume 2 [REP1-004] Section 11.4; scope of the assessment of fish and shellfish ecology in Section 8.4 of ES Chapter 8 Fish and shellfish, Volume 2 [APP-049]; ES Chapter 9 Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] Section 9.4. The impacts of the Proposed Development on designated sites are assessed in the RIAA [APP-038].</p> <p>ES Chapter 6 Coastal processes, Volume 2 [APP-047] to Chapter 29 Climate change, Volume 2 [APP-070] of the ES demonstrates that the potential environmental impacts of the Proposed Development have been comprehensively assessed. Wherever practicable, likely adverse effects have been avoided or minimised through embedded environmental measures in</p> |

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| | | | | | | <p>the design of the Proposed Development, taking into account the findings of the ES, consultation with stakeholders and national and local policy requirements. These embedded environmental measures also include those that have been identified as good or standard practice and include actions that will be undertaken to meet existing legislation requirements.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.69 | The designation of an area as Natura 2000 ¹⁵⁶ site does not necessarily restrict the construction or operation of offshore wind farms in or near that area (see also Section 4.3 of EN-1). | | 2.8.304 | The designation of an area as a protected site (including SACs SPAs, and Ramsar sites, MCZs and SSSIs) does not necessarily restrict the construction or operation of offshore wind farms or offshore transmission in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1). However, it may make consent for such construction more difficult to secure. | <p>Protected sites have been considered during the assessment of the Proposed Development, the conclusions of which are provided within the RIAA [APP-038]. The RIAA has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network. The Proposed Development has been designed to avoid and / or mitigate potential adverse effects on protected sites. Mitigation measures are implemented through embedded environmental measures and commitments.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.305 | Where adverse effects on site integrity/conservation objectives are predicted the Secretary of State should consider the extent to which the effects are temporary or reversible, and the timescales for recovery. The Secretary of State should also consider the extent to which the effects may impede achievement of the MPA | <p>The RIAA [APP-038] has not identified any Adverse Effects on Integrity (AEol) on the conservation objectives of any sites designated as part of the UK National Site Network. No adverse effects on the integrity or conservation objectives of MPAs have been</p> |

¹⁵⁶ Ecological network of protected areas in the territory of the European Union.

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| | | | | | target (including any interim target) set under the Environment Act 2021. | identified for the Proposed Development. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| Mitigation | 2.6.70 | Mitigation may be possible in the form of careful design of the development itself and the construction techniques employed. | Mitigation <i>Biodiversity and ecological conservation</i> | 2.8.218 | Mitigation will be possible in the form of careful design of the development itself and the construction techniques employed. | Volume 2 of the ES, and the associated technical chapters considers in detail the potential impacts associated with the Proposed Development. With regard to marine ecology and biodiversity, a range of embedded environmental measures are proposed to be implemented as a result of the assessments presented in Chapter 8 Fish and shellfish ecology [APP-049], Chapter 9 Benthic, subtidal and intertidal ecology [APP-050], Chapter 11 Marine mammals [REP1-004], Chapter 12 Offshore and intertidal ornithology [APP-053] . A range of embedded environmental measures are included as part of the design of the Proposed Development in order to protect and conserve features of ecological importance wherever possible. Examples of the embedded environmental measures proposed include micro-siting around sensitive receptors (subject to the findings of pre-construction surveys), and underwater noise management such as piling management measures including soft start measures to mitigate the potential impacts on fish and shellfish and marine mammals. Where considered appropriate, and where effects associated with the project may be considered significant in the absence of embedded measures, measures have been considered during the assessment of the Proposed Development and are recorded in the Commitment Register |

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| | | | | | | <p>[REP1-015], or draft DCO [PEPD-009].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.219 | General mitigation requirements and considerations are set out in Section 5.4 of EN-1. | See section 5.4 of 2024 EN-1. |
| | 2.6.71 | Ecological monitoring is likely to be appropriate during the construction and operational phases to identify the actual impact so that, where appropriate, adverse effects can then be mitigated and to enable further useful information to be published relevant to future projects. | | 2.8.221 | Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA. | <p>An Offshore In Principle Monitoring Plan (IPMP) [APP-240] has been submitted following consultation with the Marine Management Organisation (MMO) and other relevant statutory consultees. It sets out the basis for delivering offshore monitoring measures for the Proposed Development as expected to be required under the Deemed Marine Licences (dMLs – comprising Schedules 11 and 12 of the draft DCO [PEPD-009]). The IPMP provides a framework for further discussions post consent with the Marine Management Organisation (MMO) and the relevant authorities to agree the exact detail (timings, methodologies etc.) of the monitoring that is required.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.222 – 2.8.223 | Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted. Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of alternatives and mitigation will deliver greater certainty on applicant requirements. | <p>The Offshore In Principle Monitoring Plan (IPMP) [APP-240] includes the potential for future survey requirements to be adapted based on the results of the monitoring outlined in the IPMP. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| Offshore Wind Farm Impacts – Fish Introduction | 2.6.73 | There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to interact with seabed sediments and therefore have the potential to impact fish communities, migration routes, spawning activities and nursery areas of particular species. In addition, there are potential noise impacts, which could affect fish during construction and decommissioning and to a lesser extent during operation. | <i>Fish</i> | 2.8.148 – 2.8.149 | There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities and nursery areas of particular species. There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities and nursery areas of particular species. | <p>The potential impacts on elasmobranchs are considered in Section 8.9 to 8.12 of Volume 2, Chapter 8 of the ES: Fish and shellfish ecology [APP-049]. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> <p>The assessment of the Proposed Development in Volume 2, Chapter 8 of the ES: Fish and shellfish ecology [APP-049] has considered all phases of the Proposed Development on fish and shellfish species with key life stages in the vicinity of the development (see Section 8.9 and Section 8.11). No significant effects are assessed.</p> <p>Volume 2, Chapter 8 of the ES: Fish and shellfish ecology [APP-049] has considered noise effects on fish and shellfish species arising from construction (piling) (see Section 8.9). Noise impacts are further assessed in Chapter 11: Marine mammals, Volume 2 of the ES [REP1-004] Appendix 11.3: Underwater noise assessment technical report, Volume 4 of the ES [APP-149], and Appendix 8.3 Underwater noise study for sea bream disturbance [APP-134].</p> <p>The impacts of EMF on sensitive fish and shellfish species have been addressed in Section 8.10 using available literature to undertake a precautionary assessment (8.10.68-8.10.87). No significant effects are assessed.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.8.147 | Fish in the context of this NPS also includes elasmobranchs (sharks and rays) and shellfish (e.g., crabs). | | | | |

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| Applicant's assessment | 2.6.74 | <p>The applicant should identify fish species that are the most likely receptors of impacts with respect to:</p> <ul style="list-style-type: none"> • spawning grounds; • nursery grounds; • feeding grounds; • over-wintering areas for crustaceans; and • migration routes | | 2.8.150 | <p>The applicant should identify fish species that are the most likely receptors of impacts with respect to:</p> <ul style="list-style-type: none"> • spawning grounds; • nursery grounds; • feeding grounds; • over-wintering areas for crustaceans; • migration routes; and • protected sites. | <p>Within ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049], particular attention has been given to impacts on fish species at key life stages such as during spawning or on known nursery habitats, and on features of protected sites (see section 8.6). The Fish and Shellfish chapter presents a characterisation of the receiving environment using the best available data. A detailed literature review was undertaken to describe the use of the area by fish and shellfish species in relation to key life stages, spawning and juvenile behaviour and migratory pathways. The literature review was informed by the existing Rampion 1 offshore wind farm ES (E.ON, 2012a), and broader surveys across the English Channel and its coastal waters.</p> <p>As part of the Evidence Plan Process, it was agreed with the fish and shellfish Expert Topic Group (ETG) that adequate information had been provided for the baseline characterisation, and with the exception of black seabream, further fish and shellfish surveys were not considered necessary for the assessment. Site specific geophysical surveys were conducted across the entire proposed DCO Order Limits, which allows the consideration of likely distribution of black seabream nests, and nesting habitat potential outside the Kingmere MCZ based on seabed characteristics. The site-specific surveys complement long term black seabream nest distribution data collected within the export cable corridor, Kingmere MCZ and the nearfield Zone of Influence (ZOI) to inform licensing decisions for the</p> |

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| | | | | | | aggregate industry, black seabream catch and release data, and regional geological data. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.8.151 | Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance and addressing both sound pressure and particle motion) and EMF on sensitive fish species. | <p>Volume 2, Chapter 8 of the ES: Fish and shellfish ecology [APP-049] has considered noise effects on fish and shellfish species arising from construction (piling) (see Section 8.9). Noise impacts are further assessed in Chapter 11: Marine mammals, Volume 2 of the ES [REP1-004] Appendix 11.3: Underwater noise assessment technical report, Volume 4 of the ES [APP-149], and Appendix 8.3 Underwater noise study for sea bream disturbance [APP-134].</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| IPC decision making | 2.6.75 | Where it is proposed that mitigation measures of the type set out in paragraph 2;6;76 below are applied to offshore export cables to reduce electromagnetic fields (EMF) the residual effects of EMF on sensitive species from cable infrastructure during operation are not likely to be significant. Once installed, operational EMF impacts are unlikely to be of sufficient range or strength to create a barrier to fish movement ¹⁵⁷ | Secretary of State decision making Impacts Fish | 2.8.310 | The use of external cable protection has been suggested as a mitigation for EMF (by increasing the distance between fish species and individual cables). However, the Secretary of State should also consider any negative impacts from external cable protection on benthic habitats, and a balance between protection of various receptors must be made, with all mitigation and alternatives reviewed. | The impacts of EMF on sensitive fish and shellfish species have been considered in Section 8.10 of ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] using available literature to undertake a precautionary assessment (8.10.68-8.10.87). For the Proposed Development, as part of the embedded environmental measures, offshore cables will be buried at a target depth of 1.0 to 1.5m below the seabed surface for the majority of the route. The final burial depth will be defined post consent following the outcome of the CBRA (or similar) when a detailed |

¹⁵⁷ Bio/Consult, 2005. Infauna monitoring. Horns Rev Offshore Wind Farm. Annual Status Report, 2004, npower Renewables Limited, 2003. Baseline Monitoring Report. North Hoyle Offshore Wind Farm

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| | | | | | | <p>study has been completed to assess the relevant factors for each part of the cable route. The impact is therefore predicted to be highly localised, of long-term duration (over the lifetime of the project), continuous and irreversible (over the lifetime of the project). It is predicted that the impact will affect fish and shellfish receptors directly. Due to the localised spatial extent, the magnitude is minor.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Mitigation | 2.6.77 | <p>EMF during operation may be mitigated by use of armoured cable for inter-array and export cables which should be buried at a sufficient depth. Some research has shown that where cables are buried at depths greater than 1.5m below the sea bed impacts are likely to be negligible ¹⁵⁸. However sufficient depth to mitigate impacts will depend on the geology of the sea bed</p> | | 2.8.245 – 2.8.247 | <p>EMF in the water column during operation, is in the form of electric and magnetic fields, which are reduced by use of armoured cables for interarray and export cables. Burial of the cable increases the physical distance between the maximum EMF intensity and sensitive species. However, what constitutes sufficient depth to reduce impact may depend on the geology of the seabed. It is unknown whether exposure to multiple cables and larger capacity cables may have a cumulative impact on sensitive species. It is therefore important to monitor EMF emissions which may provide the evidence to inform future EIAs.</p> | <p>Mitigation of EMF through cable burial and cable protection has been considered within the Proposed Development assessment (see Table 8-13 of ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049]). Commitment C-41 advises that the subsea interarray cables for the Proposed Development will typically be buried at a target burial depth of 1m below the seabed surface. The final depth of the cables will be dependent on the seabed geological conditions and the risks to the cable (e.g. from anchor drag damage). This measure will reduce the risk of EMF impacts on sensitive receptors and requirements for cable protection, therefore minimising any long-term habitat loss. Cable installation methods include ploughing, trenching or jetting (see ES Chapter 4: The Proposed Development, Volume 2 [APP-045]). Cable burial is the preferred option, however where this is not possible, cable protection may be required.</p> |

¹⁵⁸ CMACS, 2004. Kentish Flats Offshore Wind Farm. EMF Modelling and Interpretation for Electrosensitive Fish Species. CMACS Report J3025/v1.2/10-04

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| | | | | | | <p>Cable burial will be informed by the cable burial risk assessment and detailed within the Cable Specification and Installation Plan (see C-45, Table 8-13 of Volume 2, Chapter 8: Fish and shellfish ecology [APP-049]).</p> <p>The Offshore In Principle Monitoring Plan [APP-240] sets out the basis for delivering offshore monitoring measures for the Proposed Development as expected to be required under the Deemed Marine Licences (comprising Schedules 11 and 12 of the draft DCO [PEPD-009]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.249 | Construction of specific elements can also be timed to reduce impacts on spawning or migration. Underwater noise mitigation can also be used to prevent injury and death of fish species. | <p>As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on fish and shellfish ecology. These are set out within Table 8-13 of ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049]. Several of these measures are proposed in order to reduce impacts on spawning or migration, for example C-269 which states that cable routing design will be developed to ensure micro-siting where possible to identify the shortest feasible path avoiding subtidal chalk and reef features and areas considered to potentially support black seabream nesting. C-270 is also relevant, which states that a working separation distance (buffer) will be maintained wherever possible from sensitive features, notably black seabream nesting areas. Measures are</p> |

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| | | | | | | <p>also proposed in order to mitigate underwater noise, such as C-52 which secures the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) and C-265 which advises that at least one offshore piling noise mitigation technology will be utilised to deliver underwater noise attenuation.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| Offshore Wind Farm Impacts – Intertidal Introduction | 2.6.79 | The intertidal zone is the area between high tide and low tide marks. Intertidal habitat and ecology are often recognised through statutory nature conservation designations. | Impacts <i>Intertidal and coastal habitats and species</i> | 2.8.115 – 2.8.117 | The intertidal zone is the area between mean high water springs and mean low water springs. Intertidal habitat and ecology are often recognised through statutory nature conservation designations. Coastal habitats (in the coastal fringe above the high-water mark) are also often protected, may also be affected and should undergo a similar review as part of the assessment detailed below. | <p>Impacts to the intertidal zone are considered in ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.80 | Export cable routes will cross the intertidal zone resulting in habitat loss, and temporary disturbance of intertidal ecology. | | 2.8.118 | Export cable and other offshore transmission routes will cross the intertidal/coastal zone resulting in habitat loss, morphological change and temporary disturbance of intertidal flora and fauna. | <p>The potential effects of export cable routes and other offshore transmission routes on benthic subtidal and intertidal ecology are assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. Table 9-16 sets out the embedded environmental measures that have been adopted to reduce the impacts on benthic subtidal and intertidal ecology as far as possible. These include, but are not limited to:</p> <ul style="list-style-type: none"> • commitments to ensure offshore cable routeing and micro-siting within the offshore export cable corridor area delivers avoidance of known sensitive features as far as practicable; • offshore cable routeing design to maximise the potential to achieve cable burial, thus providing for seabed habitat |

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| Applicant's assessment | 2.6.81 | <p>An assessment of the effects of installing cable across the intertidal zone should include information, where relevant, about:</p> <ul style="list-style-type: none"> any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice; potential loss of habitat; | 2.8.119 | <p>Applicant assessment of the effects of installing offshore transmission infrastructure across the intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round, and include information, where relevant, about:</p> <ul style="list-style-type: none"> any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice; potential loss of habitat; disturbance during cable installation, maintenance/repairs and removal (decommissioning); | <p>Effects of the cable installation in the nearshore area (including seabed disturbance, increased SSC and coastal morphology) are presented in Section 6.9 paragraphs 6.9.21 to 6.9.75 of ES Chapter 6: Coastal processes, Volume 2 [APP-047], whilst effects associated with decommissioning activities are presented in Section 6.11 paragraphs 6.11.1 to 6.11.16. Where possible, the assessment includes estimates of the rates which the intertidal area might recover from temporary effects. A cable nearshore assessment is also presented in Appendix 6.3: Coastal processes technical report: Impact assessment, Volume 4 of the ES Section 5.4 [APP-131]. This assessment considers the nature of</p> | |
| | <p>recovery in sediment areas and reducing the need for secondary protection and consequently minimising any potential for longer-term residual effects;</p> <ul style="list-style-type: none"> Adoption of offshore export cable laying and installation techniques to minimise seabed disturbance; and offshore export cable to be drilled underneath the beach, ensuring no direct impact to intertidal designated sites. <p>Following the implementation of embedded measures, there are no residual significant effects predicted on all benthic ecology receptors from the construction, operation and decommissioning of the Proposed Development.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> | | | | | |

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| | | <ul style="list-style-type: none"> disturbance during cable installation and removal (decommissioning); increased suspended sediment loads in the intertidal zone during installation; and predicted rates at which the intertidal zone might recover from temporary effects | | | <ul style="list-style-type: none"> increased suspended sediment loads in the intertidal zone during installation and maintenance/repairs; potential risk from invasive and non-native species; predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and Protected sites. | <p>ongoing shoreline change at the nearshore area and the potential for cables and other project infrastructure to impact coastal processes. Details regarding the Proposed Development design at the nearshore area, including alternative designs considered, are set out in Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</p> <p>Details regarding alternative nearshore areas that have been considered during the design phase and an explanation for the final choice is provided in Chapter 3: Alternatives, Volume 2 of the ES [APP-044]. The potential for habitat loss is discussed within Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 of the ES [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.82 | If it is proposed to install offshore cables to a depth of at least 1.5m below the sea bed, the applicant should not have to assess the effect of the cables on intertidal habitat during the operational phase of the offshore wind farm ¹⁵⁹ . | | | | Cable installation methods have been considered and assessed as part of the EIA. Some flexibility of installation method has been retained for cable installation; however cables will be buried at a target depth of 1.0 to 1.5m below the seabed surface for the majority of the route. The final burial depth will be defined post consent following the outcome of the CBRA (or similar) when a detailed study has been completed to assess the relevant factors for each part of the cable route. Where optionality remains in the application, this has been fully |

¹⁵⁹ CMACS July 2003, Cowrie Phase 1 Report. "A Baseline Assessment of Electromagnetic Fields Generated by Offshore Windfarm Cables", Centre for Marine and Coastal Studies (CMACS). COWRIE Report EMF – 01-2002 66; and CMACS July 2005, Cowrie Phase 1.5 Report. "The Potential Effects of Electromagnetic Fields Generated by Sub-sea Power Cables associated with Offshore Wind Farm developments on Electrically and Magnetically Sensitive Marine Organisms – A Review"

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| | | | | | | <p>assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] and throughout the ES.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | | | | <p>2.8.123 – 2.8.124</p> | <p>The applicant should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round. Applicants should follow guidelines for leasing transmission assets infrastructures, and any successor to it produced by The Crown Estate ¹⁶⁰</p> | <p>Section 3.2 of Chapter 3: Alternatives, Volume 2 of the ES [APP-044] outlines the consideration of site selection. In 2018, The Crown Estate (TCE) invited the owners of existing Round 3 wind farms to consider potential extensions of those schemes. Rampion Offshore Wind Limited (the owner of Rampion 1) applied to TCE for an extension to Rampion 1 through this wind farm extension leasing process. Following the outcome of TCE’s plan-led Habitats Regulations Assessment (HRA), a new company RED was set up and was awarded the development rights for Rampion 2 in September 2019. As part of the offshore wind farm site selection process for Rampion 2, detailed assessments and evaluations of potential developable areas were undertaken to ensure the best possible site could be brought forward. This considered the following areas:</p> <ul style="list-style-type: none"> • sites in proximity to the existing development under the TCE Extensions Round process; • the remaining parts of the TCE Round 3, Zone 6 area which comprises: • residual areas not included within the Rampion 1 |

¹⁶⁰ [The Crown Estate – Cable Route Identification & Leasing Guidelines](#)

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| | | | | | | <p>Application at the time of TCE Round 3 in 2013; and</p> <ul style="list-style-type: none"> the additional areas consented as part of the Rampion 1, but which were not developed as part of the original Rampion 1 scheme. <p>The site selection assessments have been supported by detailed consideration of the findings of the original Rampion 1 EIA and its subsequent Examination process, together with the knowledge and understanding gained through the post-consent and construction phases of Rampion 1. All of these have provided additional insight and understanding of the relevant environmental sensitivities and the range of other constraints applicable for the Rampion 2 proposals. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.83 | Applicants are expected to have regard to guidance issued in respect of FEPA (now Marine Licence) requirements. | | 2.8.125 | All work associated with cable installation including trenching, laying and surface protections are licenced through a Deemed Marine Licence as part of the DCO, with the exception of Welsh inshore waters,(defined as the region extending seaward 12 nautical miles from Mean High Water Springs (MHWS) to the territorial limit) ¹⁶¹ where a Marine Licence cannot be deemed. In all offshore windfarm cases however, applicants should be aware that the operation and maintenance of cables after construction may require new Marine Licences. ¹⁶² | The draft DCO [PEPD-009] contains, insofar as possible, all consents and powers required to construct, operate and maintain the Proposed Development, including approval for Deemed Marine Licences (DML) under Part 4 of the Marine and Coastal Access Act 2009 (MCAA 2009) subject to the Conditions therein. Two deemed marine licences are included in the draft Order, one in relation to the generation assets and the second in relation to the transmission assets. The Explanatory Memorandum to the draft Development Consent |

¹⁶¹ [Natural Resources Wales / Activities that need a marine licence](#)

¹⁶² Any additional marine licence application associated with the DCO will be considered under The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended), namely Schedules A1 and A2, as to whether the application needs to have pre-application EIA screening undertaken for it

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| | | | | | | <p>Order (DCO) [APP-020] that accompanies the draft DCO [PEPD-009] provides a fuller description of the powers included within it.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| IPC decision making | 2.6.84 | The conservation status of intertidal habitat is of relevance to the IPC. | Secretary of State decision making Impacts <i>Intertidal and coastal habitats and species</i> | | | <p>The conservation status of intertidal and benthic receptors has been considered throughout the assessment of effects within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. Table 9-14 presents the Valued Ecological Receptors (VERs), their conservation status and importance within the benthic subtidal and intertidal ecology study area and the justification and regional importance of each receptor. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.85 | The IPC should be satisfied that cable installation and decommissioning has been designed sensitively taking into account intertidal habitat | | 2.8.311 | The Secretary of State should be satisfied that cable installation and decommissioning has been designed sensitively, considering intertidal/coastal habitats. | <p>Cable installation methods have been considered and assessed as part of the EIA. Some flexibility of installation method has been retained for cable installation; however cables will be buried at a target depth of 1.0 to 1.5m below the seabed surface for the majority of the route. The final burial depth will be defined post consent following the outcome of the CBRA (or similar) when a detailed study has been completed to assess the relevant factors for each part of the cable route. Where optionality remains in the application, this has been fully assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] and throughout the ES.</p> |

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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.6.86 | Where adverse effects are predicted during the installation or decommissioning of cables, in coming to a judgement, the IPC should consider the extent to which the effects are temporary or reversible. | | | | <p>Cable installation and decommissioning methods have been considered and fully assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. Table 9-16 sets out the embedded environmental measures that have been adopted to reduce the impacts on benthic subtidal and intertidal ecology as far as possible. Following the implementation of embedded measures, there are no residual significant effects predicted on all benthic ecology receptors from the construction, operation and decommissioning of the Proposed Development.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.87 | Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in 2.6.76 above), the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the IPC to have to refuse to grant consent for a development. | | | | <p>ES Chapter 4: The Proposed Development, Volume 2 [APP-045] states that the offshore export cables will likely be armoured and typically be buried at a target burial depth of 1.0 to 1.5m below the seabed surface, depending on the outcome of a cable burial risk assessment. As such impacts associated with exposed cables, including effects of heat and/or EMF on sensitive species, are not anticipated to occur.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| Mitigation | 2.6.88 | Effects on intertidal habitat cannot be avoided entirely. Landfall and cable | Mitigation | 2.8.226 – 2.8.227 | Effects on intertidal/coastal habitat cannot be avoided entirely. | Cable installation methods have been considered and assessed as part of |

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| | | installation and decommissioning methods should be designed appropriately to minimise effects on intertidal habitats, taking into account other constraints. | <i>Intertidal and coastal habitats and species</i> | | Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal/coastal habitats, taking into account other constraints. | <p>the EIA. Effects on the intertidal habitat have been assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050] and throughout the EIA.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.228 | Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species. | <p>As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on benthic subtidal and intertidal ecology. These are set out within Table 9-16 of ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. This includes measures to avoid any direct impacts to intertidal designated sites associated with the offshore export cable corridor through horizontal directional drilling (HDD) installation work (see C-43).</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.229 - 2.8.230 | <p>Where HDD is proposed, the applicant should provide a mitigation plan to account for the possibility that HDD fails. The applicant should explain their justification for the alternative plan and ensure this is the least impactful method possible.</p> | <p>Section 4.4 of the ES Chapter 4: The Proposed Development [APP-045] outlines the approach to HDD at the landfall site. A wide corridor has been included in the proposed Order Limits for at the landfall site to permit multiple drilling attempts, if required. The Applicant has provided further information on the HDD at the landfall at Deadline 1 in response to Action Point 7 related to the Issue Specific Hearings [REP1-025].</p> |

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| | 2.6.89 | Where cumulative effects on intertidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants of various schemes to work together to ensure that the number of cables crossing the intertidal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised | | 2.8.231 | Where cumulative effects on intertidal habitats are predicted as a result of the cumulative impact of multiple cable routes, applicants of various schemes are encouraged to work together to ensure that the number of cables crossing the intertidal/coastal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised. | <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> <p>Chapter 9 of the ES: Benthic, subtidal and intertidal ecology [APP-050] includes an assessment of cumulative effects that may occur as a result of the Proposed Development. In terms of working with others, the Applicant has carried out extensive consultation and engagement. Further information is provided in Section 9.3 of Chapter 9 of the ES: Benthic, subtidal and intertidal ecology [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.232 | It is expected that a more co-ordinated approach to offshore onshore transmission will be delivered. See paragraphs 2.8.34 of this NPS. | See response to NPS 2024 paragraphs 2.8.34 - 2.8.37. |
| Offshore Wind Farm Impacts – Marine Mammals Introduction | 2.6.91 | Offshore piling may reach noise levels which are high enough to cause injury, or even death, to marine mammals. If piling associated with an offshore wind farm is likely to lead to the commission of an offence (which would include deliberately disturbing, killing or capturing a European Protected Species), an application may have to be made for a wildlife licence to allow the activity to take place. | Impacts Marine Mammals | 2.8.127 – 2.8.129 | <p>Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of unexploded ordnance (UXOs) may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals.</p> <p>All marine mammals are protected under Part 3 of the Habitats Regulations (cetaceans within Schedule 2 and seal species within Schedule 4). If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), applicants will need to apply for a wildlife licence¹⁶³ to allow the activity to take place.</p> | Chapter 11 of the ES: Marine mammals, Volume 2 [REP1-004] examines the likely significant effects that may be experienced as a result of the Proposed Development with respect to marine mammals. The assessment focuses on the construction, operation and decommissioning phases of the development. During the construction phase, underwater noise impacts have been assessed, including the risk of Permanent Threshold Shift (PTS) and disturbance from piling. Mitigation measures are included to avoid significant adverse effects on marine mammals and reduce the residual |

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| | | | | | | <p>effects to not significant in terms of EIA. For underwater noise impacts, options are proposed to ensure a noise reduction is achievable that reduces impact ranges with sensitive receptors and designated areas.</p> <p>A draft EPS licence has been submitted alongside this document as part of the application. Prior to any piling activity being undertaken for the Proposed Development, an EPS licence will be applied for.</p> <p>The risk of any injury, disturbance or death to an EPS is addressed in the Draft Piling MMMP [APP-236] and the Draft UXO Clearance MMMP [APP-237]. The DCO Application does not seek approval for UXO clearance.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.130 | <p>The development of offshore wind farms can also impact fish species (see paragraphs 2.8.245 – 2.8.249), which can have indirect impacts on marine mammals if those fish are prey species.</p> | <p>The potential impacts to prey availability as a result of the Proposed Development are assessed in Section 11.9 - 11.11 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004]. The assessment concludes that the significance of effect from changes in prey availability on marine mammals will be negligible, which is Not Significant in EIA terms.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.92 | <p>Where necessary, assessment of the effects on marine mammals should include details of :</p> <ul style="list-style-type: none"> likely feeding areas; | | 2.8.131 | <p>Where necessary, assessment of the effects on marine mammals should include details of:</p> <ul style="list-style-type: none"> likely feeding areas and impacts on prey species and prey habitat; | <p>All of the specified marine mammal ecology details are included in ES Chapter 11: Marine mammals, Volume 2 [REP1-004]. Construction and operational noise impacts and</p> |

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| | | <ul style="list-style-type: none"> known birthing areas/haul out sites; nursery grounds; known migration or commuting routes; duration of the potentially disturbing activity including cumulative/incombination effects with other plans or projects; baseline noise levels; predicted noise levels in relation to mortality, permanent threshold shift (PTS) and temporary threshold shift (TTS); soft-start noise levels according to proposed hammer and pile design; and operational noise | | | <ul style="list-style-type: none"> known birthing areas/haul out sites for breeding and pupping; migration routes; protected sites; baseline noise levels; predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; operational noise; duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects; collision risk; entanglement risk; and barrier risk. | <p>their likely effects on marine mammal behaviour and ecology have been assessed (Sections 11.9 to 11.11 and Appendix 11.3: Underwater noise assessment technical report, Volume 4 of the ES [APP-149]). This assessment also considers the cumulative impacts of the Proposed Development and other relevant plans or projects (Section 11.12).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.93 | The applicant should discuss any proposed piling activities with the relevant body. Where assessment shows that noise from offshore piling may reach noise levels likely to lead to an offence as described in 2.6.91 above, the applicant should look at possible alternatives or appropriate mitigation before Withdrawn applying for a licence. | | 2.8.132 - 2.8.133 | The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB. The applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, ¹⁶⁴ and any successor of this guidance, in relation to noisy activities (alone and in combination with other plans or projects) within SACs SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines ¹⁶⁵ for piling, explosive use, and geophysical surveys. NRW has a position statement ¹⁶⁶ on assessing noisy activities which should also be referenced where relevant. | The scope, effort and methods for the marine mammal surveys were discussed throughout the Evidence Plan Process (See Evidence Plan, [APP-243 – APP-253]). Potential mitigation methods are considered within the Draft Piling MMMP [APP-236] with the aim to reduce the risk of PTS to negligible levels. The details of the Final piling MMMP will be approved by the MMO in consultation with Natural England ahead of the construction phase. A Draft Piling MMMP [APP-236] has been submitted with this Application. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |

¹⁶⁴ [Guidance on noise management in harbour porpoise SACs | JNCC Resource Hub](#)

¹⁶⁵ [Marine mammals and noise mitigation | JNCC - Adviser to Government on Nature Conservation](#)

¹⁶⁶ Email.Guidance.development@cyfoethnaturiolcymru.gov.uk (Position Statement reference PS 17)

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| | | | | 2.8.134 | Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.119 above, the applicant must look at possible alternatives or appropriate mitigation. | <p>The mitigation measures for underwater noise such as installation equipment choice and secondary noise abatement options are specified in Table 11-14 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004]. Further detail can be found in the Draft Piling MMMP [APP-236] and Draft UXO Clearance MMMP [APP-237]. The implementation of these measures ensures that a noise reduction is achievable which reduces impact ranges with sensitive receptors and designated areas, and that significant adverse effects on marine mammals is avoided.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.135 | The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise to be reviewed closer to the construction date, when there is more certainty in other plans and projects. | ES Chapter 11: Marine mammals, Volume 2 [REP1-004] identifies that a SIP is not required as the closest site is >26km from the Proposed Development. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| IPC decision making | 2.6.94 | The IPC should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed so as to reasonably minimise significant disturbance effects on marine mammals. Unless suitable noise mitigation measures can be imposed by requirements to any development consent the IPC may refuse the application. | Secretary of State decision making Impacts Marine Mammals | 2.8.312 – 2.8.313 | The Secretary of State should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed to reasonably minimise significant impacts on marine mammals. Unless suitable noise mitigation measures can be imposed by requirements to any development consent the Secretary of State may refuse the application | The Proposed Development has considered different foundation options, hammer energies and ramp-ups. A piling MMMP will be developed and approved by the MMO in consultation with Natural England prior to the commencement of construction which will detail the appropriate mitigation measures based on the finalised Proposed Development design. A Draft Piling MMMP [APP-236] has been submitted with this Application and compliance with this is secured in the Deemed Marine Licences (DML) within the draft DCO [PEPD-009] . The primary aim of the |

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| | | | | | | <p>plan is to detail the contingency measures proposed to reduce the risk of permanent threshold shift (PTS) auditory injury to any marine mammal species in the close proximity to the pile driving for the installation of the monopile and pin-pile foundations of the Proposed Development.</p> <p>As set out within ES Chapter 11: Marine mammals, Volume 2 [REP1-004], a range of environmental measures are embedded as part of the Rampion 2 design to remove or reduce any significant environmental effects on marine mammal receptors, as far as possible. For underwater noise impacts, mitigation options under consideration include installation equipment choice and secondary noise abatement options. These ensure a noise reduction is achievable which reduces impact ranges with sensitive receptors and designated areas.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.95 | The conservation status of marine European Protected Species and seals are of relevance to the IPC. The IPC should take into account the views of the relevant statutory advisors. | | 2.8.314 | The conservation status of cetaceans and seals are of relevance and the Secretary of State should be satisfied that cumulative and in-combination impacts on marine mammals have been considered. | <p>The potential effects of the Proposed Development on marine EPS and seals are considered in Sections 11.9 to 11.12 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004]. The cumulative impacts of the Proposed Development on marine mammals are assessed in Section 11.12 of the same chapter. Section 11.3 provides a summary of the stakeholder engagement that has been undertaken for the Proposed Development as well as the feedback received, which includes from statutory advisors such as Natural England, MMO, SWT & TWT. The Proposed Development therefore accords with</p> |

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| | 2.6.96 | Fixed submerged structures such as foundations are likely to pose little collision risk for marine mammals and the IPC is not likely to have to refuse to grant consent for a development on the grounds that offshore wind farm foundations pose a collision risk to marine mammals. | | | | <p>this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> <p>The potential for collision risk from is assessed in Sections 11.9, 11.10 and 11.11 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004] with regards vessel collisions only, as there is no anticipated collision risk between marine mammals and fixed structures. A Vessel Management Plan (VMP) will be developed pre-construction which will determine vessel routeing to and from construction areas and ports to minimise, as far as reasonably practicable, encounters with marine mammals. It will also consider vessel codes of conduct provided by WiSe Scheme, Scottish Marine Wildlife Watching Code (MWWC) and the Nature Scott "Guide to best practice for watching marine wildlife". As such, no significant effects in respect of collision risk are anticipated.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| Mitigation | 2.6.97 | Monitoring of the surrounding area before and during the piling procedure can be undertaken. | Mitigation | 2.8.237 | Monitoring of the surrounding area before and during the piling procedure can be undertaken by various methods including marine mammal observers and passive acoustic monitoring. Active displacement of marine mammals outside potential injury zones can be undertaken using equipment, such as acoustic deterrent devices. Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before physical or auditory injury is caused. | <p>A piling MMMP, approved by the MMO in consultation with Natural England, will be implemented during construction. The MMMP will include mitigation measures with the aim to reduce the risk of PTS to marine mammals. A Draft Piling MMMP [APP-236] has been submitted with the application. Monitoring of marine mammals has been detailed within the Offshore in Principle Offshore Monitoring Plan [APP-240].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.98 | During construction, 24-hour working practices may be employed so that the overall construction programme and the potential for impacts to marine mammal communities is reduced in time. | | | | <p>In addition, A piling MMMP, approved by the MMO in consultation with Natural England, will be implemented during construction. The MMMP will include mitigation measures with the aim to reduce the risk of PTS to marine mammals. A Draft Piling MMMP [APP-236] has been submitted with the application.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.99 | Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before significant adverse impacts are caused. | | | 2.8.237 above | <p>The Draft Piling MMMP [APP-236] details the contingency measures proposed to reduce the risk of permanent threshold shift (PTS) auditory injury to any marine mammal species in the close proximity to the pile driving for the installation of Rampion 2 monopile and pin-pile foundations. Within the Draft Piling MMMP, soft start procedures are set out at 5.1.30. A piling MMMP, approved by the MMO in consultation with Natural England, will be implemented during construction. This will be secured through the Commitments Register (C-52) [REP1-015].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | | | | 2.8.238 | Where noise impacts cannot be avoided, other mitigation should be considered, including alternative installation methods and noise abatement technology, spatial/temporal restrictions on noisy activities, alternative foundation types. | <p>The details of marine mammal mitigation options for piling and UXO clearance, including at-source noise abatement methods, are presented within the Draft Piling MMMP [APP-236] and Draft UXO Clearance MMMP [APP-237]. Additionally, where practicable the use of low order methods to dispose of UXOs using</p> |

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| | | | | | | <p>deflagration will be implemented although authorisation is not sought for UXO clearance. See Table 11-2 and Table 11-14 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004] for more details.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.239 | <p>Applicants should undertake a review of up-to-date research and all potential mitigation options presented as part of the application, having consulted the relevant JNCC mitigation guidelines ¹⁶⁷</p> | <p>As part of the design process of the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on marine mammals. These are set out in table 11-14 of ES Chapter 11: Marine mammals, Volume 2 [REP1-004] and have evolved over the development process as the EIA has progressed and in response to consultation. The mitigation measures proposed have been informed by legislation, policy and other documentation that has informed the assessment of effects with respect to marine mammals (see section 11.2). For example, one of the measures proposed is the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) during construction (C-52). A draft of the MMMP has been submitted [APP-236] which draws on the guidance provided by the Joint Nature Conservation Committee (JNCC, 2010).</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

¹⁶⁷ [Marine mammals and noise mitigation | JNCC - Adviser to Government on Nature Conservation](#)

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| Offshore Wind Farm Impacts – Birds Introduction | 2.6.101 | Offshore wind farms have the potential to impact on birds through: <ul style="list-style-type: none"> • collisions with rotating blades; • direct habitat loss; • disturbance from construction activities such as the movement of construction/decommissioning vessels and piling; • displacement during the operational phase, resulting in loss of foraging/roosting area; and • impacts on bird flight lines (i.e. barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas | Impacts Birds | 2.8.136 | Offshore wind farms have the potential to impact on birds through: <ul style="list-style-type: none"> • collisions with rotating blades; • direct habitat loss; • disturbance from construction activities such as the movement of construction/decommissioning/maintenance vessels and piling; • displacement during the operational phase, resulting in loss of foraging/roosting area; • impacts on bird flight lines (i.e. barrier effect) and associated • increased energy use by birds for commuting flights between roosting and foraging areas; • impacts upon prey species and prey habitat; and • impacts on protected sites. | <p>These potential impacts on offshore ornithology receptors are assessed in Sections 12.12 to 12.17 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]. In terms of the impact to prey species, as no significant effects were identified to the main potential prey species (fish or benthic) or on the habitats that support them in the assessments on fish and benthic ecology (ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] and ES Chapter 9: Benthic subtidal and intertidal ecology, Volume 2 [APP-050], respectively) then there is no potential for any significant indirect effects to occur on offshore and intertidal ornithology receptors.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.137 – 2.8.142 | <p>Currently, cumulative impact assessments for ornithology are based on the consented Rochdale Envelope parameters of projects,¹⁶⁸ rather than the ‘as-built’ parameters, which may pose a lower risk to birds.</p> <p>The applicant must ensure any draft consents include provisions to define the final ‘as built’ parameters (which may not then be exceeded). These parameters must be used in future cumulative impact assessments.</p> <p>In parallel the Government will look to explore opportunities to reassess ornithological impact assessment of historic consents to reflect their ‘as built’ parameters.</p> <p>Any ornithological ‘headroom’ assessed to exist between the effects defined in the ‘as built’ parameters and Rochdale Envelope parameters can then be released, with SNCB agreement.</p> | <p>As set out within Chapter 5 of the ES: Approach to the EIA, Volume 2 [APP-046], the ES adopts a ‘Rochdale Envelope’ or parameter-based design envelope approach. The Proposed Development was refined throughout the pre-application stage to ensure a robust Rochdale Envelope.</p> <p>The proposed Requirements and Conditions provide a robust framework of control to ensure the Proposed Development is implemented in accordance with the parameters and strategies adopted in designing it (see Draft Development Consent Order, [PEPD-009]).</p> |

¹⁶⁸ [Advice Note Nine: Rochdale Envelope | National Infrastructure Planning \(planninginspectorate.gov.uk\)](https://www.planninginspectorate.gov.uk/advice-note-nine-rochdale-envelope/)

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| | | | | | <p>Applicants are encouraged to make appropriate applications for amendments to development consent to secure reduced parameters and ornithological impacts. Government will also consider the potential applicability of these principles to other consent parameters.</p> | <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.102 - 2.6.103 | <p>The scope, effort and methods required for ornithological surveys should have been discussed with the relevant statutory advisor. Relevant data from operational offshore wind farms should be referred to in the applicant's assessment.</p> | | 2.8.143 | <p>Applicants should discuss the scope, effort and methods required for ornithological surveys with the relevant statutory advisor, taking into consideration baseline and monitoring data from operational windfarms.</p> | <p>The survey methods have been discussed and agreed with Natural England and the Royal Society for the Protection of Birds (RSPB) through the Evidence Plan Process (see Section 12.3 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]).</p> <p>Relevant data from operational offshore wind farms has been referred to in the ES and RIAA [APP-038]. The use of relevant data presented within published literature is considered throughout ES Chapter 12: Offshore and intertidal ornithology [APP-053] to inform the impact assessment process.</p> <p>Of particular relevance to offshore ornithology is data available from the abutting Rampion 1 offshore wind farm, which is presented in detail in Appendix 12.1: Baseline technical report, Volume 4 of the ES [APP-150]. The use of relevant data presented within published literature is also considered throughout ES Chapter 12: Offshore and intertidal ornithology [APP-053] to inform the impact assessment process.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.104 | It may be appropriate for assessment to include collision risk modelling for certain species of birds. Where necessary, the assessments carried out by applicants should assess collision risk using survey data collected from the site at the pre-application EIA stage. The IPC will want to be satisfied that the collision risk assessment has been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor. | | 2.8.144 – 2.8.147 | Applicants must undertake collision risk modelling, as well as displacement and population viability assessments for certain species of birds. Applicants are expected to seek advice from SNCBs. Where necessary, applicants should assess collision risk using survey data collected from the site at the pre-application EIA stage. Applicant assessments should cover all aspects included in paragraph 2.8.240-2.8.244. | <p>Collision Risk Modelling (CRM) has been undertaken using parameters that have been agreed with SNCBs through the Evidence Plan process and is presented in Appendix 12.3: Collision risk modelling, Volume 4 of the ES and Appendix 12.4 Offshore and intertidal ornithology migratory collision risk modelling, Volume 4 of the ES [APP-152 and APP-153]. Potential effects from collision risk are presented and assessed in Section 12.3 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]. The assessment of collision risk follows an evidence-led approach making use of a mixture of site-specific data collected from within the Rampion 2 array area and the most recent literature on seabirds and their behaviour in relation to OWFs (Appendix 12.3: Collision risk modelling, Volume 4 of the ES [APP-152]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.105 | Applicants are expected to adhere to requirements in respect of FEPA licence requirements (now Marine Licence). As set out in paragraph 2.6.7 above, a FEPA licence may be deemed to be given by a provision in a development consent given by the IPC. | | | | Two deemed marine licences are included in the draft DCO [PEPD-009] , one in relation to the generation assets and the second in relation to the transmission assets. The Marine Management Organisation (MMO) is responsible for enforcement and ongoing management of licence conditions, and Planning Inspectorate is expected to liaise closely with the MMO on the proposed terms of the DML. Further information can be found in the Explanatory Memorandum [APP-020] . The Proposed |

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| | | | | | | Development therefore accords with this paragraph of 2011 NPS EN-3. |
| IPC decision making | 2.6.106 | In addition to Section 5.3 of EN-1 the offshore wind-specific biodiversity considerations set out in paragraphs 2.6.58 to 2.6.71 above should inform IPC decision-making. | Secretary of State decision making Impacts Birds | 2.8.315 | The Secretary of State must be satisfied that the collision risk and displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor. | <p>Collision Risk Modelling (CRM) and displacement analysis has been undertaken following extensive consultation with statutory advisors. Further information regarding the engagement carried out in relation to the offshore and intertidal ornithology assessment is provided in Section 12.3 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.316 | The conservation status of seabirds is of relevance and the Secretary of State should take into account the views of the relevant statutory advisors and be satisfied that cumulative and in-combination impacts on seabird species have been considered. | The impact of the Proposed Development on seabirds is considered within ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053] . This chapter has been informed by the views of relevant statutory advisors (see Section 12.3). The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| Mitigation | 2.6.107 | Aviation and navigation lighting should be minimised to avoid attracting birds, taking into account impacts on safety. | Mitigation Birds | 2.8.240 | Aviation and navigation lighting should be minimised and/or on demand (as encouraged in EN-1 Section 5.5) to avoid attracting birds, taking into account impacts on safety. Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk. | To minimise attraction of birds, the final design of the Proposed Development will seek to install only the minimum lighting required for safe working / operation and compliance with regulatory and statutory requirements. This is reflected within the embedded environmental measures set out in Table 12-20 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053] and the Commitments Register [REP1-015] . Commitment reference C-94 states that <i>“Marking and lighting the Proposed Development offshore will be</i> |

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| | | | | | | <p><i>undertaken in accordance with relevant industry guidance and as advised by relevant stakeholders...”.</i></p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.108 | <p>Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk, where the collision risk assessment shows there is a significant risk of collision.</p> | | | | <p>The developable area for the Proposed Development array area has been considered carefully so that the WTGs are within an area that minimises collision risk. The process of assessing the developable area and the changes accommodated between Scoping, PEIR and the ES are described in Section 12.1 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053] and further detailed in ES Chapter 3: Alternatives, Volume 2 [APP-044]. The resulting area has been assessed in accordance with best practice, and through extensive consultation with relevant stakeholders, and it has been concluded that there will be no significant effect on ornithological receptors with regards either EIA or HRA. Whilst the Preliminary Environmental Impact Report (PEIR) assessment identified that there was a potentially significant adverse effect on great black-backed gull as a consequence of cumulative collision risk from Rampion 2 and other UK offshore wind farms in the UK south-west and the English Channel, the contribution from Rampion 2 is considered to be minimal and additional PVA modelling carried out has ruled out a significant effect. No other significant cumulative effects to any other bird species have been identified.</p> |

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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3. |
| | | | | 2.8.241 | Turbine parameters should also be developed to reduce collision risk where the assessment shows there is a significant risk of collision (e.g., altering rotor height). | <p>Collision Risk Modelling (CRM) has been undertaken using parameters that have been agreed with SNCBs through the Evidence Plan process and is presented in Appendix 12.3: Collision risk modelling, Volume 4 of the ES [APP-152] and Appendix 12.4: Migratory collision risk modelling, Volume 4 of the ES [APP-153]. Potential effects from collision risk are presented and assessed in Section 12.13 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]. The main risk to birds is through potential collision with WTGs and other associated offshore wind farm infrastructure, resulting in injury or fatality. The Preliminary Environmental Impact Report (PEIR) assessment identified that there was a potentially significant adverse effect on great black-backed gull as a consequence of cumulative collision risk from Rampion 2 and other UK offshore wind farms in the UK south-west and the English Channel. However, the contribution from the Proposed Development is considered to be minimal and additional PVA modelling carried out has ruled out a significant effect. No other significant cumulative effects to any other bird species have been identified. In addition, as part of the design process, a number of embedded environmental measures have been adopted to reduce the potential for likely significant effects on offshore and intertidal ornithology. These are shown in table 12-20 of ES Chapter 12: Offshore and intertidal ornithology,</p> |

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| | | | | | | <p>Volume 2 [APP-053]. C-89 sets out that there will be a minimum blade tip clearance of at least 22m above MHWS. As bird flights tend to be skewed towards lower altitudes, collision risk is reduced if the minimum blade tip height is larger.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.109 | <p>Construction vessels associated with offshore wind farms should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods.</p> | | 2.8.242 | <p>Construction vessels and post-construction maintenance vessel traffic associated with offshore wind farms and offshore transmission should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods and follow agreed navigation routes to and from the site and minimise the number of vessel movements overall.</p> | <p>As set out within ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053], construction vessels associated with the Proposed Development will, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods. This can be ensured through the Vessel Management Plan which is proposed within the Commitments Register (C-51) [REP1-015]. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.110 | <p>The exact timing of peak migration events is inherently uncertain. Therefore, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation.</p> | | 2.8.243 | <p>The exact timing of peak migration events is inherently uncertain, although research is ongoing into estimates for peak migration periods for a number of bird species and detection technologies (e.g. using radar and integrated sensors) are improving.</p> | <p>Embedded environmental measures for offshore ornithology have been considered within the assessment process where relevant (see Table 12-20 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053]). Additional risks with regards to migratory movements are further considered within Volume 4 Appendix 12.4 Offshore and intertidal ornithology migratory collision risk modelling [APP-153] and assessed in Sections 12.11 - 12.15 of ES Chapter 12: Offshore and intertidal ornithology, Volume 2 [APP-053].</p> |

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| | | | | | | The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.8.244 | Currently, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation, but this might be a possibility in the future. | Shutting down the turbines within migration routes during estimated peak migration periods is not a mitigation measure proposed as part of Rampion 2 and this paragraph is therefore considered to be of little relevance. |
| Offshore Wind Farm Impacts – Subtidal Introduction | 2.6.112 | The subtidal zone is the area below the low tide mark which remains submerged at low tide. Loss of subtidal habitat and benthic ecology is an additional issue for consideration. | Impacts Subtidal habitats and species | 2.8.120 | The subtidal zone is the area below low water springs which remains submerged at low tide. Subtidal habitat and ecology are often recognised through statutory nature conservation designations. Offshore wind construction, maintenance and decommissioning activities can cause loss and temporary disturbance of subtidal habitat and benthic ecology. | The effects of the Proposed Development on subtidal habitat and benthic ecology are assessed within ES Chapter 9: Benthic, subtidal and intertidal ecology [APP-050] . The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| Applicant’s assessment | 2.6.113 | Where necessary, assessment of the effects on the subtidal environment should include: <ul style="list-style-type: none"> • loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes; • environmental appraisal of inter-array and cable routes and installation methods; • habitat disturbance from construction vessels’ extendible legs and anchors; • increased suspended sediment loads during construction; and • predicted rates at which the subtidal zone might recover from temporary effects. | | 2.8.126 | Applicant assessment of the effects on the subtidal environment should include: <ul style="list-style-type: none"> • loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/boulder/UXO clearance; • environmental appraisal of inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/cable protection and sandwave/boulder/UXO clearance; • habitat disturbance from construction and maintenance/repair vessels’ extendible legs and anchors; • increased suspended sediment loads during construction and from maintenance/repairs; | Changes to the subtidal environment are described in Section 6.9 paragraphs 6.9.1 to 6.9.33 of ES Chapter 6: Coastal processes, Volume 2 [APP-047] . Where possible, the assessment includes estimates of the rates which the subtidal zone might recover from temporary effects. The impact of the Proposed Development on identified coastal processes receptors is considered for the construction phase in Section 6.9, Section 6.10 for the O&M phase and Section 6.11 for the decommissioning phase. Section 6.12 assesses the potential cumulative effects. The potential effects on benthic subtidal and intertidal ecology associated with the construction, operation and decommissioning of the Proposed Development have been assessed (Section 9.9 to Section 9.12) of ES Chapter 9: Benthic, |

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| | 2.6.114 | If it is proposed to install offshore cables to a depth of at least 1.5m below the sea bed, the applicant should not have to assess the effect of the cables on subtidal habitat during the operational phase of the offshore wind farm. ¹⁶⁹ | | | <ul style="list-style-type: none"> • predicted rates at which the subtidal zone might recover from temporary effects; • potential impacts from EMF on benthic fauna; • potential impacts upon natural ecosystem functioning; • protected sites; and • potential for invasive/non-native species introduction. | <p>subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> <p>ES Chapter 4: The Proposed Development, Volume 2 [APP-045] states that the offshore export cables will likely be armoured and typically be buried at a target burial depth of 1.0 to 1.5m below the seabed surface, depending on the outcome of a cable burial risk assessment. On this basis, the potential for indirect disturbance arising from EMF generated by the current flowing through the cables buried to less than 1.5m below the surface is assessed at Section 9.10 of ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. Overall, it is predicted that the sensitivity of the benthic subtidal and intertidal receptors found within the Proposed DCO Order Limits is Low and the magnitude is Negligible. The residual effect significance is therefore Negligible, Not Significant in EIA terms. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| IPC decision making | 2.6.115 – 2.6.116 | The conservation status of subtidal habitat is of relevance to the IPC The IPC should be satisfied that activities have been designed taking | Secretary of State decision making Impacts Subtidal habitats and species | 2.8.317 | The Secretary of State should be satisfied that activities have been designed considering sensitive subtidal environmental aspects and discussions with the relevant conservation bodies have taken place. | The conservation status of intertidal and benthic receptors has been considered throughout the intertidal assessment within the ES (ES Chapter 9: Benthic, subtidal and |

¹⁶⁹ CMACS, 2004. Kentish Flats Offshore Wind Farm. EMF Modelling and Interpretation for Electrosensitive Fish Species. CMACS Report J3025/v1.2/10-04.

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| | | into account sensitive subtidal environmental aspects. | | | | <p>intertidal ecology, Volume 2 [APP-050]. The assessment has been informed by engagement with the relevant conservation bodies as set out at Section 9.3 of Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.117 | Where adverse effects are predicted, in coming to a judgement, the IPC should consider the extent to which the effects are temporary or reversible. | | | | <p>The potential effects on benthic subtidal and intertidal ecology associated with the construction, operation and decommissioning of the Proposed Development have been assessed (Section 9.9 to Section 9.12) of ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050]. No significant effects are assessed.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.118 | Where it is proposed that the offshore export cables are armoured and buried at a sufficient depth to minimise heat effects (as described in paragraph 2.6.76 above) the effects of heat on sensitive species from cable infrastructure during operation are unlikely to be a reason for the IPC to refuse to grant consent for a development. | | | | <p>ES Chapter 4: The Proposed Development, Volume 2 [APP-045] states that the offshore export cables will likely be armoured and typically be buried at a target burial depth of 1.0 to 1.5m below the seabed surface, depending on the outcome of a cable burial risk assessment. As such impacts associated with exposed cables, including effects of heat on sensitive species, are not anticipated to occur.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |

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| | | | Mitigation Subtidal habitats and species | 2.8.233 | Applicants should design construction, maintenance and decommissioning methods appropriately to minimise effects on subtidal habitats, taking into account other constraints. | <p>A range of environmental measures are embedded as part of the design of the Proposed Development to remove or reduce any significant environmental effects on benthic subtidal and intertidal ecology receptors, as far as possible. This includes the preparation of a Construction Method Statement (including a foundation installation methodology, including a dredging protocol, drilling methods and disposal of drill arisings and material extracted) (C-279) and Decommissioning Plan (C-111). These are shown in table 9-16 of ES Chapter 9: Benthic, subtidal and intertidal ecology, Volume 2 [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| Mitigation | 2.6.119 | <p>Construction and decommissioning methods should be designed appropriately to minimise effects on subtidal habitats, taking into account other constraints. Mitigation measures which the IPC should expect the applicants to have considered may include:</p> <ul style="list-style-type: none"> • surveying and micro-siting of the export cable route to avoid adverse effects on sensitive habitat and biogenic reefs; • burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and • the use of anti-fouling paint might be minimised on subtidal surfaces, to encourage species colonisation on the structures | | 2.8.234 | <p>Mitigation measures which applicants are expected to have considered include:</p> <ul style="list-style-type: none"> • surveying and micro-siting of the turbines, designing array layout, or re-routing of the export and inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs or protected species; • Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/protected habitats • burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and • the use of anti-fouling paint could be minimised on subtidal surfaces in certain environments, to encourage species colonisation on the structures, unless this is within a soft sediment MPA and thus would | <p>Where considered appropriate, and where effects associated with the project may be considered significant in the absence of mitigation, embedded environmental measures have been considered during the assessment of the Proposed Development (Table 9-16 of ES Chapter 9: Benthic, subtidal and intertidal ecology [APP-050]). Within the chapter, the applicant has presented the suite of mitigation measures and how they will be secured. The measures include:</p> <ul style="list-style-type: none"> • Developing cable routing design to ensure micro-siting where possible to identify the shortest feasible path and avoiding subtidal chalk and reef features and areas considered to potentially support black seabream nesting (C-269) as outlined in the In Principle |

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| | | | | | allow colonisation by species that would not normally be present. | <p>Sensitive Features Mitigation Plan [APP-239]; and</p> <ul style="list-style-type: none"> Typically burying the subsea inter-array cables at a target burial depth of 1m below the seabed surface. The final depth of the cables will be dependent on the seabed geological conditions and the risks to the cable (e.g. from anchor drag damage) (C-41) secured in Deemed marine licence (DML), Schedule 11, Part 2, Condition 2 (7) Draft DCO [PEPD-009]. <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.120 | Where cumulative effects on subtidal habitats are predicted as a result of the cumulative effects of multiple cable routes, it may be appropriate for applicants for various schemes to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised. | | 2.8.235 | Where cumulative impacts on subtidal habitats are predicted as a result of multiple cable routes, applicants for various schemes are encouraged to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised. | <p>Chapter 9 of the ES: Benthic, subtidal and intertidal ecology [APP-050] includes an assessment of cumulative effects that may occur as a result of the Proposed Development. In terms of working with others, the Applicant has carried out extensive consultation and engagement. Further information is provided in Section 9.3 of Chapter 9 of the ES: Benthic, subtidal and intertidal ecology [APP-050].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Offshore Wind Farm Impacts – Commercial fisheries and fishing Introduction | 2.6.122 | The construction and operation of offshore wind farms can have both positive and negative effects on fish and shellfish stocks. | Impact Commercial fisheries and fishing | | | <p>ES Chapter 10: Commercial fisheries, Volume 2 [APP-051] and ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] assesses the likely significant effects on fish and shellfish stocks that may be experienced as a result of the Proposed Development, including positive and negative effects. Based on</p> |

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| | | | | | | <p>the proposed location of the offshore infrastructure and its subsequent operation, plus the incorporation of appropriate environmental measures, No Significant Effects have been identified in relation to the potential impact of the Proposed Development on commercial fisheries.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.123 | Whilst the footprint of the offshore wind farm and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling and long-lining, other fishing activities may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety. Consequently, the establishment of a wind farm can increase the potential for some fishing activities, such as potting, where this would not compromise any safety zone in place. The IPC should consider adverse or beneficial impacts on different types of commercial fishing on a case-by-case basis. | | 2.8.156 | Offshore wind farms can have a negative impact on some fish stocks and fishing activity, and/or a positive impact on other fish stocks and/or other types of commercial fishing. Whilst the footprint of an offshore wind farm and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling, other fishing activities, such as potting, may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety. | <p>ES Chapter 10: Commercial fisheries, Volume 2 [APP-051] and ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049] assesses the likely significant effects on fish and shellfish stocks and other types of commercial fishing that may be experienced as a result of the Proposed Development, including positive and negative effects. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.124 | In some circumstances, transboundary issues may be a consideration as fishermen from other countries may fish in waters within which offshore wind farms are sited. | | 2.8.160 | In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal States may fish in waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances. | <p>Potential transboundary effects are considered in Section 10.13 of ES Chapter 10: Commercial fisheries, Volume 2 [APP-051].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.126 | In some circumstances, applicants may seek declaration of safety zones around wind turbines and other infrastructure, although these might | | 2.8.161 | In some circumstances, applicants may seek declaration of safety zones around wind turbines and other infrastructure. Although these might not | <p>The Applicant will apply for safety zones post-consent as secured through the Deemed Marine Licences (DML) within the draft DCO [PEPD-</p> |

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| | | not be applied until after consent to the wind farm has been granted. The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing. | | | be applied until after consent to the wind farm has been granted. | <p>009]. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the maximum design scenario and embedded environmental measures presented in ES Chapter 10: Commercial fisheries, Volume 2 [APP-051] Section 10.7: Basis for ES Assessment.</p> <p>The need for safety zones has been considered by the navigational risk assessment (NRA) [APP-155] completed for the Proposed Development. The risk assessment results have been taken into account within the commercial fisheries assessment (see Section 10.9 to 10.11 of ES Chapter 10: Commercial fisheries, Volume 2 [APP-051]). Consultation has also been undertaken with the Maritime and Coastguard Agency (MCA) (see ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.127 | Early consultation should be undertaken with statutory advisors and with representatives of the fishing industry which could include discussion of impact assessment methodologies. Where any part of a proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted | | 2.8.154 – 2.8.155 | Applicants should undertake early consultation with a crosssection of the fishing industry, as well as MMO, SNCBs, relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments. Where any part of a proposal involves a grid connection or transmission to shore or in the inshore area, appropriate inshore fisheries groups should also be consulted. | <p>Extensive engagement with stakeholders has been undertaken in relation to the Proposed Development, including with representatives of the fishing industry. Further details can be found at section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.128 | Where a number of offshore wind farms have been proposed within an identified zone, it may be beneficial to undertake such consultation at a zonal, rather than a site-specific, level. | | | | <p>Consultation has been undertaken at a scale that seeks to capture fishing activity in the region, including in and around Rampion Offshore Wind Farm (Rampion 1) and the Proposed Development. The engagement carried out is summarised in Section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.129 | The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and any potential reduction in such stocks, as well as any likely constraints on fishing activity within the project's boundaries. Robust baseline data should have been collected and studies conducted as part of the assessment. | | 2.8.157 | Applicant assessments should include robust baseline data and detailed surveys of the effects on fish stocks of commercial interest, and any potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones (see paragraph 2.8.152 - 2.8.164 of this NPS). The assessments should also provide evidence regarding any likely benefits or constraints on fishing activity within the project's boundaries. | <p>Relevant surveys and data are detailed in ES Chapter 8: Fish and shellfish ecology, Volume 2 [APP-049]. In addition, consultation with the fishing industry (see Section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051]) has identified key concerns as well as available data and potential impacts, which have been taken into account within the commercial fisheries assessment (see Section 10.9 to 10.11 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051]). Robust baseline datasets analysed include EU and UK landings statistics and vessel monitoring system data, supported by industry consultation, as described in Section 10.5 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.158 – 2.8.159 | Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind farm and transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement. | <p>An Outline Fisheries Liaison and Coexistence Plan [REP1-013] has been submitted as part of the Proposed Development, which confirms the approach to ongoing liaison with the fishing industry. The</p> |

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| | | | | | Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community ¹⁷⁰ | Plan will explore options to encourage co-existence and further mitigate any significant effects upon fisheries. The Plan will be finalised post-consent. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| | 2.6.130 | Where there is a possibility that safety zones will be sought around offshore infrastructure, potential effects should be included in the assessment on commercial fishing | | 2.8.162 – 2.8.163 | The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing. Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on commercial fishing. | <p>The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the maximum design scenario and embedded environmental measures presented in ES Chapter 10: Commercial fisheries, Volume 2 [APP-051] Section 10.7: Basis for ES Assessment. The need for safety zones has been considered by the Navigational risk assessment (NRA) completed for the Proposed Development [APP-155]. The risk assessment results have been taken into account within the commercial fisheries assessment (see Section 10.9 to 10.11 of ES Chapter 10: Commercial fisheries, Volume 2 [APP-051]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.131 | Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA). Exclusion of certain types of fishing may make an area more productive for other types of | | 2.8.164 | Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA) as part of this process. | The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the maximum design scenario and embedded environmental measures presented in ES Chapter |

¹⁷⁰ <https://www.thecrownstate.co.uk/en-gb/what-we-do/on-the-seabed/our-partnerships/the-fishing-liaison-with-offshore-wind-and-wet-renewables-group/>

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| | | <p>fishing. The assessment by the applicant should include detailed surveys of the effects on fish stocks of commercial interest and the potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones.</p> | | | | <p>10: Commercial fisheries, Volume 2 [APP-051] Section 10.7: Basis for ES Assessment. The need for safety zones has been considered by the navigation risk assessment (NRA) completed for the Proposed Development [APP-155]. The risk assessment results have been taken into account within the commercial fisheries assessment (see Section 10.9 to 10.11 of ES Chapter 10: Commercial fisheries, Volume 2 [APP-051]).</p> <p>Consultation has also been undertaken with the Maritime and Coastguard Agency (MCA) (see ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| IPC decision making | 2.6.132 | <p>The IPC should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself. This will include siting in relation to the location of prime fishing grounds. The IPC should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities. Where the IPC considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be</p> | Secretary of State decision making Impacts Commercial fisheries and fishing | 2.8.318 – 2.8.320 | <p>The Secretary of State should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself. The Secretary of State should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities. Where the Secretary of State considers the wind farm or offshore transmission would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed a correspondingly significant weight.</p> | <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] sets out the detailed site selection process.</p> <p>The effects arising from the Proposed Development have been and discussed with statutory bodies through extensive engagement. The Proposed Development is, and will continue to, take steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Commitments related to commercial fisheries and adopted as part of the Proposed Development are provided in Section 10.7 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051].</p> <p>The extent to which the Proposed Development impacts on recognised</p> |

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| | | attributed correspondingly significant weight. | | | | <p>and important fishing grounds has been considered and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken (see Section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051]). The results of the commercial fisheries assessment are presented in see Section 10.9 to 10.11. The assessment finds that the residual effects on commercial fishers range from negligible to minor adverse. No significant effects are assessed.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.321 | The Secretary of State should consider adverse or beneficial impacts on different types of commercial fishing on a case-by-case basis. | <p>ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051] examines the likely significant effects on commercial fisheries that may be experienced as a result of the Proposed Development. The results of the commercial fisheries assessment are presented in Section 10.9 to 10.11. Based on the proposed location of the offshore infrastructure and its subsequent operation, plus the incorporation of appropriate environmental measures, no significant effects have been identified in relation to the potential impact of the Proposed Development on commercial fisheries.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.133 | The IPC should be satisfied that the applicant has sought to design the proposal having consulted representatives of the fishing industry with the intention of minimising the | | 2.8.322 | The Secretary of State should be satisfied that the applicant has sought to design the proposal having consulted the MMO or NRW in Wales, Defra or Welsh Government in Wales and representatives of the fishing industry with the | <p>Consultation with representatives of the fishing industry has been undertaken (see Section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051]) to fully</p> |

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| | | loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist. | | | intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist. ¹⁷¹ | <p>understand any potential impacts. The results of the commercial fisheries assessment are presented in see Section 10.9 to 10.11. The Applicant is, and will continue to, take steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. An Outline Fisheries Liaison and Coexistence Plan [REP1-013] has been submitted as part of the Proposed Development, which confirms the approach to ongoing liaison with the fishing industry. The Plan will explore options to encourage co-existence and further mitigate any significant effects upon fisheries. The Plan will be finalised post-consent.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.324 | Where an offshore wind farm or offshore transmission could affect a species of fish that is of commercial interest, but is also of ecological value, the Secretary of State should refer to Section 2.8.147 of this NPS with regard to the latter. | See responses to paragraphs 2.6.73 – of 2011 EN-1 and 2.8.147 – 2.8.151 of 2024 NPS EN-3 covering fish above. |
| Mitigation | 2.6.134 | Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry. | Mitigation | 2.8.250 | Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry, IFCA's, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales. | As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on commercial fisheries. These embedded environmental measures have evolved over the development process as the EIA has progressed and in response to consultation with the fishing industry. Section 10.3 of ES Chapter 10: Commercial fisheries, Chapter 2 |

¹⁷¹ [404 Error: Page Not Found \(sff.co.uk\)](#)

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| | | | | | | <p>[APP-051] sets out the consultation and engagement that has been carried out. Table 10-12 sets out the relevant embedded environmental measures within the design. This includes measures such as C-47, C-90, C-91, C92 and C-93 secured in the Outline Fisheries Liaison and Coexistence Plan [REP1-013] and C-194 secured in the Deemed Marine Licences within draft DCO [PEPD-009]. These measures provide for effective communication between the project and commercial fishing interests to ensure potential impacts are minimised and co-existence can be achieved throughout all phases of the Proposed Development.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.135 | Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry and commercial fish stocks. | | 2.8.251 | Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment. | <p>Table 10-12 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051] sets out the relevant embedded environmental measures within the design and how these affect the commercial fisheries assessment. The measures proposed include development of an Outline Fisheries Liaison and Co-existence Plan (FLCP) which will encourage co-existence and further mitigate any significant effects upon fisheries.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.136 | The IPC will need to consider the extent to which disruption to the fishing industry, whether short term during construction or long term over the operational period, including that | Secretary of State decision making Impacts | 2.8.323 | The Secretary of State will need to consider the extent to which disruption to the fishing industry, whether short term during preconstruction (e.g. surveying) or construction or long term over the operational period, including that caused by the | <p>Potential impacts on commercial fisheries resulting from all stages of the Proposed Development are assessed in Section 10.9 to Section 10.14 of ES Chapter 10: Commercial</p> |

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| | | caused by the future implementation of any safety zones, has been mitigated where reasonably possible. | Commercial fisheries and fishing | | future implementation of any safety zones, has been mitigated where reasonably possible. | <p>fisheries, Volume 2 [APP-051]. A number of embedded environmental measures have been adopted to reduce the potential for impacts on commercial fisheries and mitigate where reasonably possible. These are set out in Table 10-12 of ES Chapter 10: Commercial fisheries, Chapter 2 [APP-051]. Based on the proposed location of the offshore infrastructure and its subsequent operation, plus the incorporation of appropriate environmental measures, No Significant Effects have been identified in relation to the potential impact of the Proposed Development on commercial fisheries.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Offshore Wind Farm Impacts – Historic environment Introduction | 2.6.139 | <p>Heritage assets can be affected by offshore wind farm development in two principal ways:</p> <ul style="list-style-type: none"> from the direct effect of the physical siting of the development itself such as the installation of the wind turbine foundations and electricity cables or the siting of plant required during the construction period; and from indirect changes to the physical marine environment (such as scour, coastal erosion or sediment deposition) caused by the proposed infrastructure itself or its construction (see the policy on physical environment starting at paragraph 2.6.189 of this NPS) | Impacts Marine historic environment | 2.8.167 | <p>The marine historic environment can be affected by offshore wind farm and offshore transmission development in two principal ways:</p> <ul style="list-style-type: none"> from direct effects arising from of the physical siting of the development itself such as the installation of wind turbine foundations and electricity cables or the siting of plant required during the construction phase of development; and from indirect changes to the physical marine environment (such as scour, coastal erosion or sediment deposition) caused by the proposed infrastructure itself or its construction (see the policy on physical environment at paragraphs 2.8.111 of this NPS). | <p>Potential direct or indirect effects on marine heritage receptors have been assessed and are set out in Table 16-19 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| Applicant's assessment | 2.6.140 | Consultation with the relevant statutory consultees (including English Heritage or Cadw) should be undertaken by the applicants at an early stage of the development. | | 2.8.168 | Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during pre-application, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries ¹⁷²) | Consultation with Historic England and other stakeholders has been undertaken throughout the development of the project. Further details are provided in Section 16.3 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057] . The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.6.141 | Assessment should be undertaken as set out in Section 5.8 of EN-1. Deskbased studies should take into account any geotechnical or geophysical surveys that have been undertaken to aid the wind farm design. | | 2.8.170 – 2.8.171 | Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts. These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm and/or offshore transmission design. | <p>Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] presents and details the archaeological baseline for the proposed development area. The results are also summarised in Section 16.6 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057].</p> <p>Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] presents and details the archaeological assessments of the geophysical data collected to date. The results are also summarised in Section 16.6 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. Geotechnical surveys are planned post-consent, with locations targeted for archaeologically specific cores based on the geophysical data and records.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | | 2.8.172 – 2.8.173 | Whilst it should be possible for a development project to avoid designated heritage assets, the knowledge currently available about the historic |

¹⁷² <https://www.wessexarch.co.uk/our-work/offshore-renewables-protocol-archaeological-discoveries>

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| | | | | | <p>environment in the inshore and offshore areas is limited, as much of the seafloor around our coasts and at sea has yet to be mapped or explored fully. Applicants are required to determine how any known heritage assets might best be avoided.</p> | <p>presents and details the archaeological assessments of the geophysical data collected to date, where anomalies of archaeological potential as well as anomalies correlating with known sites and losses have been identified. The results are also summarised in Section 16.6 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. The mitigation measures for unexpected archaeology to be encountered during works are presented in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162], which include C-58 and C-59 (as per Table 16-16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]). One of the other measures adopted (C-60) are Archaeological Exclusion Zones (AEZ), which have been applied to all known wrecks and anomalies of high and medium significance as outlined in Section 16.6. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.174 | <p>The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance.</p> | <p>As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on marine archaeology. These are set out within table 16-16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. This includes conducting geophysical and geotechnical surveys throughout the lifetime of the project (as per C-58 and C-59). The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

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| | | | | 2.8.175 | Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including field evaluation investigations prior to construction, to understand a known site's significance and full extent, and, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application. | <p>An Outline Marine Written Scheme of Investigation [APP-235] has been submitted with the application. This document sets out the basis for the archaeological mitigation strategies in relation to the Proposed Development and accompanies Environmental Statement ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. Section 4 outlines the site specific surveys undertaken to date and future site-specific surveys that are planned post-consent are outlined in Table 6-4. Archaeological assessment of the data collected as part of these surveys will provide a greater understanding of the archaeological significance and potential of the development area, and to locations of sites and areas that will be avoided. In addition, and as per the embedded environmental measures set out within ES Chapter 16: Marine archaeology, Volume 2 [APP-057] (C-60), all intrusive activities undertaken during the life of the project will be routed and microsited to avoid any identified marine heritage receptors pre-construction, with AEZs.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.142 | Assessment should also include the identification of any beneficial effects on the historic marine environment, for example through improved access or the contribution to new knowledge that arises from investigation. | | 2.8.176 | Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation. | <p>Beneficial effects on potential marine heritage receptors are discussed in Sections 16.9 to 16.15 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.143 | Where elements of an application (whether offshore or onshore) | | 2.8.177 | Where elements of a proposed project (whether offshore or onshore) may interact with historic | The onshore and offshore archaeological assessments (ES |

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| | | interact with features of historic maritime significance that are located onshore, the effects should be assessed in accordance with the policy at Section 5.8 in EN-1. | | | environment features that are located onshore, applicants should assess the effects in accordance with Section 5.9 in EN-1. | <p>Chapter 16: Marine archaeology, Volume 2 [APP-057] and ES Chapter 25: Historic environment, Volume 2 [PEPD-020]) have been cross-referenced and technical reports have been shared between archaeological contractors. The offshore and onshore archaeological assessments overlap at the intertidal zone as outlined in the respective technical reports.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.172 – 2.8.173 | Whilst it should be possible for a development project to avoid designated heritage assets, the knowledge currently available about the historic environment in the inshore and offshore areas is limited, as much of the seafloor around our coasts and at sea has yet to be mapped or explored fully. Applicants are required to determine how any known heritage assets might best be avoided. | <p>Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162] presents and details the archaeological assessments of the geophysical data collected to date, where anomalies of archaeological potential as well as anomalies correlating with known sites and losses have been identified. The results are also summarised in Section 16.6 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. The mitigation measures for unexpected archaeology to be encountered during works are presented in Appendix 16.1: Marine archaeological technical report, Volume 4 of the ES [APP-162], which include C-58 and C-59 (as per Table 16-16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]). One of the other measures adopted (C-60) are Archaeological Exclusion Zones (AEZ), which have been applied to all known wrecks and anomalies of high and medium significance as outlined in Section 16.6. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

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| IPC decision making | 2.6.144 | The IPC should be satisfied that offshore wind farms and associated infrastructure have been designed sensitively taking into account known heritage assets and their status, for example features designated as Protected Wrecks. | Secretary of State decision making Impacts Marine historic environment | 2.8.325 | The Secretary of State should be satisfied that any proposed offshore wind farm and/ or offshore transmission project has appropriately considered and mitigated for any impacts to the historic environment, including both known heritage assets, and discoveries that may be made during the course of development. | <p>In order to address potential adverse effects, embedded environmental measures relevant to marine archaeology are set out in Table 16-16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. C-58 and C-59 detail how data will be collected and assessed to ensure that as yet undiscovered marine heritage receptors are identified. Should unidentified marine heritage receptors be located during project works a Protocol for Archaeological Discoveries will be implemented, as per Embedded environmental measure C-57. AEZs (as per C-60 (Table 16-16)) have been applied to all known wrecks and anomalies of high and medium significance. With the implementation of the mitigation measures, all residual effects will be Not Significant.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Mitigation | 2.6.145 | The avoidance of important heritage assets, including archaeological sites and historic wrecks, is the most effective form of protection and can be achieved through the implementation of exclusion zones around such heritage assets which preclude development activities within their boundaries. The boundaries can be drawn around either discrete sites or more extensive areas identified in the ES. | Mitigation Marine historic environment | 2.8.252 – 2.8.254 | The avoidance of important heritage assets to ensure their protection in situ, is the most effective form of protection. This can be achieved through the implementation of exclusion zones around known and potential heritage assets which preclude development activities within their boundaries. These boundaries can be drawn around either discrete sites or more extensive areas identified in the Environmental Statement produced to support an application for consent. | <p>A number of embedded environmental measures have been adopted as part of the Proposed Development to reduce the potential for impacts on marine archaeology. These are set out within Table 16-16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057]. One of the measures adopted (C-60) are Archaeological Exclusion Zones (AEZ), which have been applied to all known wrecks and anomalies of high and medium significance as outlined in Section 16.6.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.146 | As set out in paragraphs 2.6.44 and 2.6.45 above, where requested by applicants, the IPC should consider granting consents that allow for micrositing to be undertaken within a specified tolerance. This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains. | | 2.8.255 | The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology. | <p>All intrusive construction activities will be routed and micrositied to avoid any identified marine heritage receptors with AEZs as detailed in the Outline Marine Written Scheme of Investigation (offshore) submitted with the application [APP-235]. This is confirmed in table 16-16 of Volume 2, Chapter 16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057] (see C-60).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.256 | Where requested by the applicant, the Secretary of State should consider granting consents which allow for micrositing/microrouting (see paragraphs 2.8.76 following above) within a specified tolerance. | <p>All intrusive construction activities will be routed and micrositied to avoid any identified marine heritage receptors with AEZs as detailed in the Outline Marine Written Scheme of Investigation (offshore) [APP-235] submitted with the application. This is confirmed in table 16-16 of Volume 2, Chapter 16 of ES Chapter 16: Marine archaeology, Volume 2 [APP-057] (see C-60).</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | | | | 2.8.257 – 2.8.258 | <p>To ensure a programme of archaeological works have been secured, an outline WSI, covering the entirety of the defined project area and full duration of the project, that complies with the policy in this NPS, should be submitted within the application.</p> <p>This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.</p> | <p>An Outline Marine Written Scheme of Investigation (offshore) [APP-235] was submitted with the application. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |

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| Offshore Wind Farm Impacts – Navigation and shipping Introduction | 2.6.147 | Offshore wind farms will occupy an area of the sea and therefore it is inevitable that there will be some impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss as a result of the proposed offshore wind farm. To ensure safety of shipping, it is Government policy that wind farms should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted. | Impacts <i>Offshore wind impacts: navigation and shipping</i> | 2.8.178 - 2.8.179 | Offshore wind farms and offshore transmission will occupy an area of the sea or sea bed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission. To ensure safety of shipping applicants should reduce risks to navigational safety to as low as reasonably practicable (ALARP), as described in Section 2.8.331 of this NPS. | <p>ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] examines the likely significant effects that may arise as a result of the Proposed Development on shipping and navigation. The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has been applied for assessing effects on shipping and navigation receptors including application of the ALARP principle to ensure risks are within tolerable levels. The methodology for ES assessment is provided in Section 13.8. This was agreed during consultation with the MCA and Trinity House.</p> <p>A number of embedded environmental measures are proposed as part of the design of the Proposed Development to reduce any significant environmental effects on shipping and navigation as far as possible. Table 13-14 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] sets these out and states how they affect the shipping and navigation assessment. With the embedded measures proposed, the effects of the proposed development on shipping and navigation are not significant in EIA terms.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.153 | Applicants should establish stakeholder engagement with interested parties in the navigation sector early in the development phase of the proposed offshore wind farm and this should continue throughout the life of the | | | | <p>Section 13.3 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] summarises the key issues raised during consultation specific to shipping and navigation. Full details of the consultation undertaken is provided in Section 4 of Volume 4 Appendix</p> |

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| | | development including during the construction, operation and decommissioning phases. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and navigation uses of the sea to successfully co-exist. | | | | <p>13.1 Navigational risk assessment [APP-155].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.154 | Assessment should be underpinned by consultation with the MMO, Maritime and Coastguard Agency (MCA), the relevant General Lighthouse Authority, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. | | 2.8.184 - 2.8.185 | <p>Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm or offshore transmission to help identify mitigation measures ¹⁷³ to reduce navigational risk to ALARP, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation and decommissioning phases.</p> <p>Engagement should seek solutions that allow offshore wind farms, offshore transmission and navigation and shipping users of the sea to successfully co-exist.</p> | <p>Extensive stakeholder engagement has been undertaken for the Proposed Development in relation to shipping and navigation, as set out in further detail in Section 13.3 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] and Volume 4 Appendix 13.1 Navigational risk assessment [APP-155]. This includes with the organisations stated.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.186 | The presence of the wind turbines can also have impacts on communication and shipborne and shore-based radar systems. See section 5.5 in EN-1 for further guidance. | <p>Section 13 of the Navigational Risk Assessment [APP-155] discusses the potential effects on the use of navigation, communication and position fixing equipment of vessels that may arise due to the infrastructure associated with the Proposed Development. Figure 13.2 summarises the assessment of frequency and consequence and the resulting risk for each component of this impact. The</p> |

¹⁷³ [MGN 654 \(M+F\) Offshore Renewable Energy Installations \(OREI\) safety response - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/mgn-654-m+f-offshore-renewable-energy-installations-orei-safety-response)

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| | | | | | | <p>significance of the risk is broadly acceptable for each topic.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.155 | Information on internationally recognised sea lanes is publicly available and this should be considered by applicants prior to undertaking assessments. The assessment should include reference to any relevant, publicly available data available on the Maritime Database. | | 2.8.187 – 2.8.188 | Prior to undertaking assessments applicants should consider information on internationally recognised sea lanes, which is publicly available. Applicants should refer in assessments to any relevant, publicly available data available on the Maritime Database ¹⁷⁴ | <p>Internationally recognised sea lanes, other identified routes and navigational features such as IMO routing measures are considered a key element of the shipping and navigation baseline. The methodology for baseline data gathering and baseline conditions are outlined in Section 13.5 and Section 13.6, of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] respectively.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.156 | Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant Government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. | | 2.8.189 | Applicants must undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. | <p>A Navigational Risk Assessment has been submitted with the DCO application (Volume 4 Appendix 13.1 Navigational risk assessment [APP-155]). Key shipping and navigation stakeholders have been consulted in the NRA process, as set out at Section 4 of the NRA.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.157 | The navigation risk assessment will for example necessitate: <ul style="list-style-type: none"> a survey of vessels in the vicinity of the proposed wind farm; | | 2.8.190 | The navigation risk assessment will for example necessitate: <ul style="list-style-type: none"> a survey of vessel traffic in the vicinity of the proposed wind farm; a full NRA of the likely impact of the wind farm on navigation in the immediate area of | The NRA is provided at Volume 4 Appendix 13.1 Navigational risk assessment [APP-155] . The NRA includes a survey of vessels; the likely impact of the wind farm on navigation; |

¹⁷⁴ <https://www.maritime-database.com/>

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| | | <ul style="list-style-type: none"> a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and cumulative and in-combination risks associated with the development and other developments (including other wind farms) in the same area of sea. | | | <p>the wind farm in accordance with the relevant marine guidance; and</p> <ul style="list-style-type: none"> cumulative and in-combination risks associated with the development and other developments (including other wind farms in the same area of sea). | <p>and a cumulative and in combination assessment.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | | | | 2.8.191 | In some circumstances, applicants may seek declaration of a safety zone around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted. | <p>The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the maximum design scenario and embedded environmental measures presented in ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] Section 13.7 Basis for ES Assessment.</p> <p>The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3.</p> |
| | 2.6.158 | Where there is a possibility that safety zones will be sought around offshore infrastructure, potential effects should be included in the assessment on navigation and shipping | | 2.8.193 | Where there is a possibility that safety zones will be sought applicant assessments should include potential effects on navigation and shipping. | <p>The effectiveness of safety zones is discussed within ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]. Potential impacts from safety zones have been considered for the construction, operational and decommissioning phases (see Sections 13.9 to 13.11).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.159 | Where the precise extents of potential safety zones are unknown, | | 2.8.194 | Where the precise extents of potential safety zones are unknown, a realistic worst-case | ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] |

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| | | a realistic worst case scenario should be assessed. Applicants should consult the MCA and refer to the Government guidance on safety zones. | | | scenario should be assessed. Applicants should consult the MCA for advice on maritime safety, and refer to the government guidance on safety zones ¹⁷⁵ as a part of this process. | <p>Section 13.7 Basis for ES Assessment sets out the maximum parameters and assessment assumptions that have been identified to be relevant to shipping and navigation, and states that 500m radius safety zones will be sought. In accordance with these paragraphs of 2011 NPS EN-3 and 2024 NPS EN-3 the parameters represent the largest extent and the longest construction period, and therefore the worst-case scenario.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.160 | The potential effect on recreational craft, such as yachts, should be considered in any assessment. | | | | <p>Small craft including recreational vessels are considered a relevant receptor to shipping and navigation. The impact assessment (which includes consideration of recreational vessels in transit) is provided in Section 13.9, Section 13.10 and Section 13.11 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] with active activities involving recreational vessels considered in ES Chapter 7: Other marine users, Volume 2 [APP-048].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| IPC decision making | 2.6.161 | The IPC should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to | Secretary of State decision making Impacts Navigation and shipping | 2.8.326 – 2.8.327 | The Secretary of State should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to international | Internationally recognised sea lanes and other identified routes are considered a key element of the shipping and navigation baseline and have been considered wherever “interference may be caused” including |

¹⁷⁵ assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/37

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| | | <p>international navigation is likely to be caused by the development. The use of recognised sea lanes essential to international navigation means:</p> <ul style="list-style-type: none"> a. anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; or b. any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a Renewable Energy Zone (REZ). | | | <p>navigation is likely to be caused by the development. The use of recognised sea lanes essential to international navigation means:</p> <ul style="list-style-type: none"> (a) anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; and (b) any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a REZ. | <p>through vessel displacement, port access, collision risk and allision risk in the impact assessment. The methodology for baseline data gathering and baseline conditions are outlined in Section 13.5 and Section 13.6 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054], and the impact assessment (which includes consideration of internationally recognised sea lanes) is provided in Section 13.9, Section 13.10 and Section 13.11. With the embedded environmental measures proposed in Table 13-14, it is predicted that the effects will be of tolerable significance, which is not significant in EIA terms.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.162 | <p>The IPC should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries¹⁷⁶ and recreational users of the sea. Where a proposed development is likely to affect major commercial navigation routes, for instance by causing appreciably longer transit times, the IPC should give these adverse effects substantial weight in its decision making. There may, however, be some situations where reorganisation of traffic activity might be both possible and desirable when</p> | | 2.8.328 – 2.8.329 | <p>The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries⁷⁴ and recreational users of the sea. Where after carrying out a site selection, a proposed development is likely to adversely affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making.</p> | <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] sets out the detailed site selection process. Within the chapter, it is advised that it has been an iterative process which has been guided by detailed specialist engineering, environmental assessment and engagement with local stakeholders, regulatory stakeholders and non-governmental organisations. The proposed Order Limits have been refined since scoping to reduce disruption to existing infrastructure and other users. The preliminary assessment set out in Sections 7.9, 7.10 and 7.11 of ES Chapter 7: Other marine users, Volume 2 [APP-048] identifies where likely significant effects have been determined and where mitigation is proposed. It also details</p> |

¹⁷⁶ “Lifeline ferries” provide an essential service between islands or an island and the mainland on which the occupiers of the island rely for transportation of passengers and goods

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| | | considered against the benefits of the wind farm proposal. Such circumstances should be discussed with the MCA and the commercial shipping sector and it should be recognised that alterations might require national endorsement and international agreement and that the negotiations involved may take considerable time and do not have a guaranteed outcome. | | | | <p>where consultation with third parties has been undertaken or is planned in order to seek appropriate controls in order to reduce risks to As Low As Reasonable Possible (ALARP).</p> <p>ES Chapter 13: Shipping and navigation, Volume 2 [APP-054], has assessed the impacts of the Proposed Development on shipping and navigation. A Navigational Risk Assessment (NRA) has also been undertaken (Volume 4 Appendix 13.1 Navigational risk assessment [APP-155]). The assessment of effects on shipping and navigation is set out in sections 13.9, 13.10 and 13.11 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] and this includes the displacement of vessels. Overall, it is predicted that the effect is of tolerable significance, which is not significant in EIA terms (paragraph 13.1.157).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.163 | Where a proposed offshore wind farm is likely to affect less strategically important shipping routes, a pragmatic approach should be employed by the IPC. For example, vessels usually tend to transit point to point routes between ports (regional, national and international). Many of these routes are important to the shipping and ports industry as is their contribution to the UK economy. In such circumstances the IPC should expect the applicant to minimise | | 2.8.330 | Where a proposed offshore wind farm is likely to affect less strategically important shipping routes ¹⁷⁷ , the Secretary of State should take a pragmatic approach to considering proposals to minimise negative impacts. The Secretary of State should be satisfied that risk to navigational safety is as low as reasonably practicable (ALARP). It is Government policy that wind farms and all types of offshore transmission ¹⁷⁸ should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted. | <p>The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has been applied for assessing effects on shipping and navigation receptors including application of the ALARP principle to ensure risks are within tolerable levels. The methodology for ES assessment is provided in Section 13.8 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]. The assessment of effects on shipping and navigation is set out in sections 13.9, 13.10 and 13.11 of ES Chapter 13:</p> |

¹⁷⁷ For example, vessels usually tend to transit point to point routes between ports (regional, national, and international). Many of these routes are important to the shipping and ports industry as is their contribution to the UK economy.

¹⁷⁸ Types of offshore transmission includes though is not limited to wind farm export cables, interconnectors, Multi-Purpose Interconnectors and subsea 'onshore' transmission also referred to as bootstraps.

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| | | negative impacts to as low as reasonably practicable (ALARP). Again, there may be some situations where reorganisation of traffic activity might be both possible and desirable when considered against the benefits of the wind farm application and such circumstances should be discussed with the MCA and the commercial shipping sector. | | | | <p>Shipping and navigation, Volume 2 [APP-054] and this includes the displacement of vessels. Overall, it is predicted that the effect is of tolerable significance, which is not significant in EIA terms (paragraph 13.1.157).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.164 | A detailed Search and Rescue Response Assessment should be undertaken prior to commencement of construction should consent for the offshore wind farm be granted. This assessment could be secured by a requirement to any consent. However, where there are significant concerns over the frequency or the consequences of such incidents, a full assessment may be required before the application can be determined. | Impacts Offshore wind impacts: navigation and shipping | 2.8.195 | Applicants should undertake a detailed Navigational Risk Assessment, which includes Search and Rescue Response Assessment and emergency response assessment prior to applying for consent. ¹⁷⁹ The specific Search and Rescue requirements will then be discussed and agreed post-consent. | <p>An NRA has been submitted with the DCO application (Appendix 13.1, Volume 4 of the ES [APP-155]). This includes an assessment of the reduction of emergency response, including Search and Rescue capability, in Section 20.7. ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] assesses the impacts on Search and Rescue emergency response provision in the operation and maintenance phase in section 13.10. The predicted effect on is assessed as not significant.</p> <p>An Emergency Response Cooperation Plan (ERCoP) will be submitted to the Maritime and Coastguard Agency (MCA) in line with the requirements of MGN 654 (MCA, 2021) (C-87 in the Commitments Register [REP1-015]).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.165 | The IPC should not consent applications which pose unacceptable risks to navigational | | | | As noted above, the assessment of effects on shipping and navigation is set out in sections 13.9, 13.10 and 13.11 of ES Chapter 13: Shipping |

¹⁷⁹ assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/10

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| | | safety after all possible mitigation measures have been considered. | | | | <p>and navigation, Volume 2 [APP-054] and this includes the displacement of vessels. Overall, it is predicted that the effect is of tolerable significance, which is not significant in EIA terms (paragraph 13.1.157).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.166 | The IPC should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes. In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the IPC should weigh the harm caused with the benefits of the scheme. | Secretary of State decision making Impacts Navigation and shipping | 2.8.332 – 2.8.333 | The Secretary of State should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes. In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the Secretary of State should weigh the harm caused with the benefits of the scheme. | <p>Small craft including recreational vessels are considered a relevant receptor to shipping and navigation. The impact assessment (which includes consideration of recreational vessels) is provided in Section 13.9, Section 13.10 and Section 13.11 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]. With the embedded environmental measures proposed in table 13-14, the assessment of residual effects on recreational vessels was considered to be tolerable, which is not significant in EIA terms.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.167 | Providing proposed schemes have been carefully designed by the applicants, and that the necessary consultation with the MCA and the other navigation stakeholders listed above has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on navigation to a level sufficient to enable the IPC to grant consent. The MCA will use the NRA as described in paragraph 2.6.156 above when advising the IPC on any mitigation measures proposed. | | 2.8.334 | The Secretary of State should make use of advice from the MCA, who will use the NRA described in paragraphs 2.8.189 and 2.8.190 above. | <p>Extensive consultation has been undertaken with key shipping and navigation stakeholders in the NRA process including the Maritime and Coastguard Agency (MCA). The key responses and where they have been addressed in the NRA are summarised in table 4-1 of Appendix 13.1, Volume 4 of the ES Navigational Risk Assessment [APP-155].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.168 – 2.6.169 | The IPC should, in determining whether to grant consent for the construction or extension of an offshore wind farm, and what requirements to include in such a consent, have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development. In considering what interference, obstruction or danger to navigation and shipping is likely and its extent and nature, the IPC should have regard to the likely overall effect of the development in question and to any cumulative effects of other relevant proposed, consented and operational offshore wind farms. | | 2.8.335 | The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent. | <p>ES Chapter 13: Shipping and navigation, Volume 2 [APP-054] has assessed the impacts of the Proposed Development on shipping and navigation. A Navigational Risk Assessment (NRA) has also been undertaken (Appendix 13.1: Navigational risk assessment, Volume 4 of the ES [APP-155]). The assessment of effects on shipping and navigation is set out in sections 13.9, 13.10 and 13.11 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054]. Overall, it is predicted that the effect is of tolerable significance, which is not significant in EIA terms (paragraph 13.1.157).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Extinguishing public rights of navigation | 2.6.170 | The IPC may include provisions within the terms of a development consent as respects rights of navigation so far as they pass through waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea. The provisions may specify or describe rights of navigation which: <ul style="list-style-type: none"> • are extinguished; • are suspended for the period that is specified in the development consent order; • are suspended until such time as may be determined in accordance with provisions contained in the development consent order; or | Secretary of State decision making Impacts Navigation and shipping | 2.8.336 – 2.8.337 | The Secretary of State may include provisions, compliant with national maritime legislation and United Nations Convention on the Law of the Sea (UNCLOS), within the terms of a development consent as respects rights of navigation so far as they pass through waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea. The provisions may specify or describe rights of navigation which: <ul style="list-style-type: none"> • are extinguished; • are suspended for the period that is specified in the DCO; • are suspended until such time as may be determined in accordance with provisions contained in the DCO; and • are exercisable subject to such restrictions or conditions, or both, as are set out in the DCO. | <p>Internationally recognised sea lanes and other identified routes are considered a key element of the shipping and navigation baseline and have been considered wherever “interference may be caused” including through vessel displacement, port access, collision risk and allision risk in the impact assessment. The methodology for baseline data gathering and baseline conditions are outlined in Section 13.5 and Section 13.6, respectively and the impact assessment (which includes consideration of internationally recognised sea lanes) is provided in Section 13.9, Section 13.10 and Section 13.11 of ES Chapter 13: Shipping and navigation, Volume 2 [APP-054].</p> <p>The Draft DCO [PEPD-009] includes relevant references to public rights of</p> |

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| | | <ul style="list-style-type: none"> are exercisable subject to such restrictions or conditions, or both, as are set out in the development consent order | | | | <p>navigation under Requirement 20 (under Part 4).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.171 – 2.6.173 | <p>The IPC should specify the date on which any such provisions are to come into force, or the means by which that date is to be determined</p> <p>The IPC should require the applicant to publish any provisions that are included within the terms of the development consent order, in such a manner as appears to the IPC to be appropriate for bringing them, as soon as is reasonably practicable, to the attention of persons likely to be affected by them.</p> <p>The IPC should include provisions as respects rights of navigation within the terms of a development consent order only if the applicant has requested such provision be made as part of their application for development consent</p> | | 2.8.338-2.8.340 | <p>The Secretary of State should specify the date on which any such provisions are to come into force, or how that date is to be determined.</p> <p>The Secretary of State should require the applicant to publish any provisions that are included within the terms of the DCO, in such a manner as appears to the Secretary of State to be appropriate for bringing them, as soon as is reasonably practicable, to the attention of persons likely to be affected by them.</p> <p>The Secretary of State should include provisions as respects rights of navigation within the terms of a DCO only if the applicant has requested such provision be made as part of their application for development consent.</p> | <p>The Draft DCO [PEPD-009] includes relevant references to public rights of navigation under Requirement 20 (under Part 4). The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Mitigation | 2.6.174 | <p>Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority and also the provision of an acceptable Active Safety Management System.</p> | Mitigation Navigation and shipping | 2.8.259 | <p>Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority.</p> | <p>As set out within ES Chapter 13: Shipping and navigation, Volume 2 [APP-054], engagement with Trinity House (the relevant GLA) was carried out at an early stage in order to inform the embedded environmental measures set out at table 13-14. One of the measures (C-84) proposes the exhibition of lights, marks, sounds, signals and other aids to navigation as required by Trinity House, MCA and Civil Aviation Authority (CAA).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |

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| | 2.6.175 | In some circumstances, the IPC may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed. | | 2.8.260 | In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration (between the applicant and third parties) as a means of resolving how adverse impacts on other commercial activities will be addressed. | <p>The Applicant does not consider that arbitration will be necessary due to the significant engagement that has been undertaken.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Offshore Wind Farm Impacts – Oil, gas and other offshore infrastructure and activities Applicant’s assessment | 2.6.179 | Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect activities for which a licence has been issued by Government, the applicant should undertake an assessment of the potential effect of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs. | Impacts Other offshore infrastructure and activities | 2.8.197 – | Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy and guidance for offshore wind farm EIAs. | ES Chapter 7: Other marine users, Volume 2 [APP-048] identifies any likely significant effects on other marine users throughout all stages of the development. Existing offshore infrastructure is considered within Sections 7.9, 7.10 and 7.11 of the assessment. With the embedded environmental measures proposed in table 7-13 , the assessment of the residual effects to other marine users is minor (not significant). The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.8.198 | | |
| | | | | 2.8.199 | Applicants should use marine plans (paragraph 2.8.17-19 of this NPS and Section 4.5 of EN-1) in considering which activities may be most affected by their proposal and thus where to target their assessment. | The relevant marine plan for the Proposed Development comprises the South Inshore and South Offshore Marine Plan which were designated in July 2018. Further information on the South Inshore and South Offshore Marine Plan is set out in Section 3.4 of the Planning Statement [APP-036] . Sections 4.6 and 4.7 of the Planning Statement [APP-036] provide an assessment of the Proposed Development against the objectives of the marine plan. Relevant ES chapters where offshore elements are assessed include reference to the Marine Plans. The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |

| Topic 2011 | NPS Paragraph number 2011 | NPS Requirement 2011 | Topic 2024 | NPS Paragraph number 2024 | NPS Requirement 2024 | Compliance with the NPS |
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| | 2.6.179 | Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect activities for which a licence has been issued by Government, the applicant should undertake an assessment of the potential effect of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs. | | | | <p>ES Chapter 7: Other marine users, Volume 2 [APP-048] identifies any likely significant effects on other marine users throughout all stages of the development. Existing offshore infrastructure is considered within Sections 7.9, 7.10 and 7.11 of the assessment. With the embedded environmental measures proposed in Table 7-13, the assessment of the residual effects to other marine users is considered to be minor (not significant).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.180 | Applicants should engage with interested parties in the potentially affected offshore sectors early in the development phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application to the IPC. | | 2.8.200 | Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.56 and 2.8.273/4 and 2.8.267 of this NPS for further guidance). | <p>As set out within ES Chapter 5: Approach to the EIA, Volume 2 [APP-046] consultation and engagement has been central to the delivery of the EIA. A range of statutory consultation and non-statutory consultation has been carried out, with further details of the consultation and engagement of relevance to the evolution of the design of the Proposed Development provided in ES Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</p> <p>Specific information on any feedback received is also presented in the individual environmental aspect chapters (Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES) [APP-047 to APP-070] which include a 'Consultation and engagement' section.</p> <p>ES Chapter 7: Other marine users, Volume 2 [APP-048] is considered to be particularly relevant. Section 7.3</p> |

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| | | | | | | <p>relates to consultation and engagement and advises that early engagement was undertaken with a number of prescribed and non-prescribed bodies and local authorities in relation to other marine users. Early engagement with stakeholders was undertaken in the form of conference calls and meetings in person.</p> <p>A Consultation Report has also been submitted [APP-027, REP1-003, APP-29, APP-030] which summarises the consultation that has been undertaken and how the responses received have influenced the application. As such, it is considered that the Applicant has worked to resolve as many issues as possible, at the earliest stage possible. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.181 | Such stakeholder engagement should continue throughout the life of the development including construction, operation and decommissioning phases where necessary. As many of these offshore industries are regulated by Government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist. | | 2.8.201 – 2.8.203 | Such stakeholder engagement should continue throughout the life of the development including construction, operation and decommissioning phases where necessary. As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist. | <p>The Applicant is committed to continuing engagement with key stakeholders throughout the lifetime of the development.</p> <p>The Secretary of State was notified about the Proposed Development at several different stages, as set out further within the submitted Consultation Report [APP-027, REP1-003, APP-29, APP-030]. A Commitments Register has been submitted [REP1-015] which provides a summary of the embedded environmental measures which will apply during the construction, operation and decommissioning phases of the Proposed Development. The Commitments Register has been populated with a range of environmental measures including those designed to avoid, prevent, and</p> |

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| | | | | | | <p>reduce impacts. These have been informed by the ongoing design evolution process, stakeholder engagement and consultation, good practice and/or are considered to be industry best practice and procedures for Nationally Significant Infrastructure Projects (NSIPs), in particular offshore wind farm development.</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| IPC decision making | 2.6.182 | There are statutory requirements concerning automatic establishment of navigational safety zones relating to offshore petroleum developments ¹⁸⁰ | Secretary of State decision making Impacts Other offshore infrastructure and activities | 2.8.341 | There are statutory requirements concerning automatic establishment of navigational safety zones relating to offshore petroleum developments. ¹⁸¹ | ES Chapter 7: Other marine users, Volume 2 [APP-048] outlines that the English Channel is not currently a focus area for the exploration and production of hydrocarbons and there are no licensed developments in or within the vicinity of the proposed DCO Order Limits. There are currently no blocks licensed or pipelines for oil and gas exploration within the study area. There are two oil and gas wells over 9km to the south and west of the proposed DCO Order Limits (as shown in Figure 7.4, Volume 3 of the ES [APP-080]). As a result, these paragraphs are not considered to be relevant to the Proposed Development. |
| | 2.6.183 | Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the IPC. Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy. In such circumstances the IPC should expect the applicant to | | 2.8.342 – 2.8.344 | Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State. Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy. In such circumstances, the Secretary of State should expect the applicant to work with the | ES Chapter 7: Other marine users, Volume 2 [APP-048] considers any likely significant effects on other marine users (OMU) resulting from the proposed construction, operation and decommissioning of the offshore infrastructure. Sections 7.9 - 7.15 provides the assessment of effects. With the embedded environmental |

¹⁸⁰ Section 21, Part 3 Petroleum Act 1987.

¹⁸¹ Section 21, Part 3 Petroleum Act 1987

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| | | minimise negative impacts and reduce risks to as low as reasonably practicable. | | | impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable. | <p>measures proposed in table 7-13, the assessment of the residual effects to other marine users is considered to be minor (not significant). Consultation and engagement with other marine users in relation to the Proposed Development was undertaken at an early stage. Further information about the stakeholder engagement carried out can be found in section 7.3 of ES Chapter 7: Other marine users, Volume 2 [APP-048]. An overview of engagement undertaken for the development as a whole can be found in ES Chapter 5: Approach to the EIA, Volume 2 of the ES [APP-046].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.184 | As such, the IPC should be satisfied that the site selection and site design of the proposed offshore wind farm has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. The IPC should not consent applications which pose unacceptable risks to safety after mitigation measures have been considered. | | 2.8.345 – 2.8.346 | As such, the Secretary of State should be satisfied that the site selection and site design of a proposed offshore wind farm and offshore transmission has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. Applicants will be required to demonstrate that risks to safety will be reduced to as low as reasonably practicable. The Secretary of State should not consent applications which pose intolerable risks to safety after mitigation measures have been considered. | <p>ES Chapter 3: Alternatives, Volume 2 [APP-044] and ES Chapter 17: Socio-economics, Volume 2 [APP-058] address site selection. These chapters demonstrate that it has been an iterative process which has been guided by detailed specialist engineering, environmental assessment and engagement with local stakeholders, regulatory stakeholders and non-governmental organisations.</p> <p>The proposed DCO Order Limits have been refined since scoping in order to reduce disruption to existing infrastructure and other users. The preliminary assessment set out in Sections 7.9, 7.10 and 7.11 of ES Chapter 7: Other marine users, Volume 2 [APP-048] identifies where likely significant effects have been determined and where mitigation is</p> |

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| | | | | | | <p>proposed. It also details where consultation with third-parties has been undertaken or is planned in order to seek appropriate controls in order to reduce risks to As Low As Reasonably Practicable (ALARP).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.185 | Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the IPC should give these adverse effects substantial weight in its decision-making. | | 2.8.347 | Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the Secretary of State should give these adverse effects substantial weight in its decision-making. | <p>The impact to the safety or long-term viability of an existing or approved/licensed offshore infrastructure or activity is assessed in Sections 7.9, 7.10 and 7.11 of ES Chapter 7: Other marine users, Volume 2 [APP-048]. A range of embedded environmental measures are proposed that will help to avoid or minimise effects on other marine users which are to be secured through DCO requirements or DML conditions. These measures include the development of a Vessel Management Plan (VMP) pre-construction and provision of a Marine Pollution Contingency Plan (MPCP) With the embedded environmental measures proposed in table 7-13, the assessment of the residual effects to other marine users is minor (not significant).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.186 | Providing proposed schemes have been carefully designed by the applicants, and that the necessary consultation with relevant bodies has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on other | | 2.8.348 | Providing proposed schemes have been carefully designed, and that the necessary consultation with relevant bodies and stakeholders has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on other offshore infrastructure or operations to a | <p>ES Chapter 7: Other marine users, Volume 2 [APP-048] has assessed the impacts of the Proposed Development on other existing and potential offshore infrastructure. A range of embedded environmental measures will help to avoid or minimise</p> |

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| | | offshore infrastructure or operations to a level sufficient to enable the IPC to grant consent. | | | level sufficient to enable the Secretary of State to grant consent. | <p>effects on other marine users which are to be secured through DCO requirements or DML conditions. These measures include the development of a Vessel Management Plan (VMP) pre-construction and provision of a Marine Pollution Contingency Plan (MPCP). Residual effects are assessed as minor (Not Significant).</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Mitigation | 2.6.187 – 2.8.188 | <p>Detailed discussions between the applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application to the IPC. As such, appropriate mitigation should be included in any application to the IPC, and ideally agreed between relevant parties.</p> <p>In some circumstances, the IPC may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.</p> | Mitigation <i>Other offshore infrastructure and activities</i> | 2.8.261 – 2.8.262 | <p>Detailed discussions between the applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties.</p> <p>In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.</p> | <p>As set out within ES Chapter 5: Approach to the EIA, Volume 2 [APP-046] consultation and engagement has been central to the delivery of the EIA. A range of statutory consultation and non-statutory consultation has been carried out, with further details of the consultation and engagement of relevance to the evolution of the design of the Proposed Development provided in ES Chapter 3: Alternatives, Volume 2 of the ES [APP-044].</p> <p>Specific information on any feedback received is also presented in the individual environmental aspect chapters (Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES) which include a 'Consultation and engagement' section.</p> <p>ES Chapter 7: Other marine users, Volume 2 [APP-048] is considered to be particularly relevant. Section 7.3 relates to consultation and engagement and advises that early engagement was undertaken with a number of prescribed and non-</p> |

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| | | | | | | <p>prescribed bodies and local authorities in relation to other marine users. Early engagement with stakeholders was undertaken in the form of conference calls and meetings in person.</p> <p>A Consultation Report has also been submitted [APP-027, REP1-003, APP-29, APP-030] which summarises the consultation that has been undertaken and how the responses received have influenced the application. As such, it is considered that the Applicant has worked to resolve as many issues as possible, at the earliest stage possible. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Offshore Wind Farm Impacts – Physical environment Introduction | 2.6.189 | <p>The construction, operation and decommissioning of offshore energy infrastructure can affect the following elements of the physical offshore environment:</p> <ul style="list-style-type: none"> • water quality – disturbance of the seabed sediments or release of contaminants can result in indirect effects on habitats and biodiversity and fish stocks thus affecting the fishing industry; • waves and tides – the presence of the turbines can cause indirect effects on flood defences, marine ecology and biodiversity, marine archaeology and potentially, coastal recreation activities; • scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in | Impacts Physical environment | 2.8.111 | <p>The construction, operation and decommissioning of offshore energy infrastructure (including the preparation and installation of the cable route and any electricity networks infrastructure can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors:</p> <ul style="list-style-type: none"> • water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry; • waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities; • scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine | <p>The predicted impact of Rampion 2 on coastal processes for the construction, operation and maintenance, and decommissioning phases is considered in ES Chapter 6 Coastal processes, Volume 2 [APP-047]. This has taken into account the government’s Flood and Coastal Erosion Risk Management Policy Statement.</p> <p>A commitment has been made (C-247 in the Commitments Register [REP1-015]) to undertake ground investigation at the landfall site at the post-DCO application stage. This would be carried out to inform the exact siting and detailed design of the Transition Joint Bay (TJB) and associated apparatus. In addition, this would inform a 'coastal erosion and future beach profile estimation assessment', which in turn would inform the need for and design of any further mitigation and adaptive measures to help minimise the vulnerability of these</p> |

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| | | <p>scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels and marine archaeology;</p> <ul style="list-style-type: none"> • scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels and marine archaeology; • suspended solids – the release of sediment during construction and decommissioning can cause indirect effects on marine ecology and biodiversity. | | | <p>vessels, marine archaeology and impact biodiversity and seabed habitats;</p> <ul style="list-style-type: none"> • sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, could affect sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats; • suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity; • sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g., changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport); and • water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures. | <p>assets from future coastal erosion and tidal flooding.</p> <p>The Proposed Development therefore accords with these paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| Applicant's assessment | 2.6.190 | Assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy for offshore wind farm EIAs | | | | The impact of the Proposed Development on coastal processes is considered in ES Chapter 6: Coastal processes, Volume 2 [APP-047] . The assessment of effects during the construction phase is considered in Section 6.9, during the operation and maintenance phase in Section 6.10, and during the decommissioning phase in Section 6.11. The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3. |
| | 2.6.191 | The Environment Agency (EA) regulates emissions to land, air and | | | | Consultation on the approach to assessment for physical processes has |

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| | | water out to 3nm. Where any element of the wind farm or any associated development included in the application to the IPC is located within 3nm of the coast, the EA should be consulted at the pre-application stage on the assessment methodology for impacts on the physical environment. | | | | <p>been carried out with the Environment Agency, MMO, Natural England and Cefas. Details of the issues raised and responses to consultation are provided in Table 6-5 of ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.192 | Beyond 3nm, the MMO is the regulator. The applicant should consult the MMO and the Centre for Environment, Fisheries & Aquaculture Science (CEFAS) on the assessment methodology for impacts on the physical environment at the pre-application stage. | | | | <p>Consultation on the approach to assessment for physical processes has been carried out with the Environment Agency, MMO, Natural England and Cefas. Details of the issues raised and responses to consultation are provided in Table 6-5 of ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> <p>The Proposed Development therefore accords with this paragraph of 2011 NPS EN-3.</p> |
| | 2.6.193 | Geotechnical investigations should form part of the assessment as this will enable design of appropriate construction techniques to minimise any adverse effects. | | 2.8.114 | Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects. | <p>Geotechnical data has informed the assessment and the design of the Proposed Development. The site-specific survey data sources that have been collected and used to inform the coastal processes assessment are summarised in Table 6-10 of ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> <p>The Proposed Development therefore accords with these paragraph of 2011 NPS EN-3 and 2024 NPS EN-3.</p> |
| | 2.6.194 | The assessment should include predictions of the physical effect that will result from the construction and operation of the required infrastructure and include effects such as the scouring that may result from the proposed development. | | 2.8.112 | Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and seabed morphology that will result from the construction, operation and decommissioning of the required infrastructure. | <p>Predictions of change to physical processes that could arise from the construction, operation and decommissioning of the Proposed Development are presented in ES Chapter 6: Coastal processes, Volume 2 [APP-047].</p> |

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| | | | | | | The Proposed Development therefore accords with these paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | | | | 2.8.113 | Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats. | An assessment of potential seabed scour is provided in ES Chapter 6: Coastal processes, Volume 2 [APP-047] . The Proposed Development therefore accords with this paragraph of 2024 NPS EN-3. |
| IPC decision making | 2.6.195 | As set out above, the direct effects on the physical environment can have indirect effects on a number of other receptors. Where indirect effects are predicted, the IPC should refer to relevant sections of this NPS and EN-1. | Secretary of State decision making Impacts Physical environment | 2.8.307 - 2.8.308 | As set out in paragraphs 2.8.111 of this NPS the direct effects on the physical environment can have indirect effects on a number of other receptors. Where indirect effects are predicted, the Secretary of State should refer to relevant sections of this NPS and EN-1. | The predicted changes to coastal processes have been considered in relation to indirect effects on other receptors elsewhere in the ES, in particular Chapter 8: Fish and shellfish ecology [APP-049] , Chapter 9: Benthic, subtidal and intertidal ecology [APP-050] , and Chapter 11: Marine mammals, Volume 2 of the ES [REP1-004] . The Proposed Development therefore accords with these paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| | 2.6.196 | The IPC should be satisfied that the methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations on the basis of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety. | | 2.8.309 | The Secretary of State must be satisfied that the design of the wind farm, offshore transmission and methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations because of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety. | As part of the design process for the Proposed Development, a number of embedded environmental measures have been adopted to reduce the potential for impacts on coastal processes. These embedded environmental measures have evolved over the development process as the EIA has progressed and in response to consultation. Table 6-12 of ES Chapter 6: Coastal processes, Volume 2 [APP-047] sets out the relevant embedded environmental measures within the design and how these affect the coastal processes assessment. |

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| | | | | | | The Proposed Development therefore accords with these paragraph of 2011 NPS EN-3 and 2024 NPS EN-3. |
| Mitigation | 2.6.197 | Mitigation measures which the IPC should expect the applicants to have considered include the burying of cables to a necessary depth and using scour protection techniques around offshore structures to prevent scour effects around them. Applicants should consult the statutory consultees on appropriate mitigation. With | Mitigation Physical environment | 2.8.224 – 2.8.225 | Applicants are expected to have considered the best ecological outcomes in terms of potential mitigation. These might include: <ul style="list-style-type: none"> • avoidance of areas sensitive to physical effects; • consideration of micro-siting of both the array and cables; • alignment and density of the array; • design of foundations; • ensuring that sediment moved is retained as locally as possible; • the burying of cables to a necessary depth; • using scour protection techniques around offshore structures to prevent scour effects or designing turbines to withstand scour, so scour protection is not required or is minimised. <p>Applicants should consult the statutory consultees on appropriate mitigation and monitoring.</p> | A range of embedded environmental measures are included as part of the design of the Proposed Development to protect and conserve features of ecological importance wherever possible. These are set out within the Commitment Register [REP1-015] . These embedded environmental measures have evolved over the development process as the EIA has progressed and in response to consultation. |
| Offshore Wind Farm Impacts – Seascape and visual effects Introduction | 2.6.198 | Generic landscape and visual impacts are covered in Section 5.9 of EN-1. In addition, there are specific considerations which apply to offshore wind energy infrastructure proposals as set out below. | Impacts Seascape and visual effects | 2.8.204 | Applicants should address impact on seascape in addition to the landscape and visual effects discussed in Section 5.10 of EN-1. | Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056] sets out the assessment of the effects on seascape. The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1 |
| | 2.6.199 | Seascape is an additional issue for consideration. Seascape is a discrete area within which there is shared inter-visibility between land and sea ¹⁸² In some circumstances it may be necessary to carry out a seascape and visual impact assessment (SVIA) | | 2.8.205 – 2.8.206 | Seascape is an additional issue for consideration given that it is an important environmental, cultural and economic asset. This is especially so where seascape provides the setting for a nationally designated landscape (National Park, The Broads or AONB) and as a defined special quality of the area supports the delivery of the designated | The effects of Rampion 2 on seascape are assessed in Sections 15.9 - 15.14 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056] . The assessment has had regard to the purposes of relevant nationally |

¹⁸² Definition taken from Appendix 3 of DTI (2005) Guidance on the Assessment of the Impact of Offshore Wind Farms: Seascape and Visual Impact Report

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| | | in accordance with the relevant offshore wind farm EIA policy. | | | area's statutory purpose. This is also an important consideration for stretches of coastline identified as Heritage Coasts, which are associated with a largely undeveloped coastal character. Seascape is a discrete area, with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical and archaeological links with each other. ¹⁸³ | designated areas which include the SDNP, the Isle of Wight AONB (IoW AONB), Chichester Harbour AONB (CHAONB), High Weald AONB and Registered Parks and Gardens. See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024] . The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| | | | | 2.8.207 | Applicants should follow relevant guidance including, but not limited to seascape and landscape character assessments, ¹⁸⁴ landscape sensitivity assessments, ¹⁸⁵ and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) ¹⁸⁶ England's marine plans ¹⁸⁷). | Relevant seascape character assessments have been referenced within ES Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056] and are set out in table 15-11. The Proposed Development is considered to comply with these paragraphs of the 2024 NPS EN-1. |
| Applicant's assessment | 2.6.202 | Where a proposed offshore wind farm will be visible from the shore, an SVIA should be undertaken which is proportionate to the scale of the potential impacts. Impact on seascape should be addressed in addition to the landscape and visual effects discussed in EN-1 | | 2.8.208 | Where a proposed offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area's statutory purpose, a seascape, landscape and visual impact assessment (SLVIA ¹⁸⁸) should be undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report. ¹⁸⁹ The SLVIA should be proportionate to the scale of the potential impacts. This will always be the case | The assessment in Sections 15.9 to 15.14 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056] includes the effects of Rampion 2 on the settings of nationally designated landscapes. The SLVIA has been informed through consultation with stakeholders during the statutory, non-statutory and Evidence Plan Process (EPP), which |

¹⁸³ Definition taken from the UK Marine Policy Statement 2011(UKMPS para. 2.6.5)

¹⁸⁴ [Landscape and seascape character assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/landscape-and-seascape-character-assessments)

¹⁸⁵ [Landscape sensitivity assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/landscape-sensitivity-assessment)

¹⁸⁶ [Natural Resources Wales / Marine Character Areas](https://www.gov.uk/government/publications/natural-resources-wales-marine-character-areas)

¹⁸⁷ See <https://www.gov.uk/government/publications/seascape-assessments-for-north-east-north-west-south-east-south-west-marine-plan-areas-mmo1134> East Marine Plans - GOV.UK (www.gov.uk) Seascape assessment for the South marine plan areas (MMO 1037) - GOV.UK (www.gov.uk)

¹⁸⁸ Seascape, Landscape and Visual Impact Assessment. See Landscape Institute Guidelines for Landscape and Visual impact Assessment Edition 3

¹⁸⁹ 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

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| | | | | | where a coastal National Park, the Broads or AONB, or a Heritage Coast or their setting is potentially affected. | has influenced the SLVIA in all aspects, from consideration of the maximum design scenarios, the number and location of viewpoints, the approach taken to assessment at each location, and detail presented in contextualizing key assessment criteria such as magnitude and susceptibility. The assessment has had regard to the purposes of relevant nationally designated areas which include the SDNP, the Isle of Wight AONB (IoW AONB), Chichester Harbour AONB (CHAONB), High Weald AONB and Registered Parks and Gardens. The SLVIA is therefore considered to be directly proportionate both to the scale and potential impacts and the quantum of feedback provided. See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024] . The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| | 2.6.203 | Where necessary, assessment of the seascape should include an assessment of three principal considerations on the likely effect of offshore wind farms on the coast: <ul style="list-style-type: none"> • limit of visual perception from the coast; • individual characteristics of the coast which affect its capacity to absorb a development; and • how people perceive and interact with the seascape. | | 2.8.209 | Where necessary, assessment of the seascape should include an assessment of four principal considerations on the likely effect of offshore wind farms on the coast: <ul style="list-style-type: none"> • the limit of visual perception from the coast under poor, good and best lightening conditions; • the effects of navigation and hazard prevention lighting on dark night skies; • individual landscape and visual characteristics of the coast and the special qualities of designated landscapes, such as World Heritage Sites and National Parks, which limits the coasts capacity to absorb a development; and how people perceive and interact with the coast and natural seascape. | The range and frequency of visibility of Rampion 2 from the coast is illustrated in Volume 3, Chapter 15: Seascape, landscape and visual impact assessment (Part 3 of 8) Figure 15.23 [APP-090] and considered in the visual baseline in Section 15.6 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056] throughout the assessments in Sections 15.9 to 15.14. Night-time effects of lighting are assessed in Section 15.10 and Appendix 15.5: Assessment of aviation and navigation lighting visual effects, Volume 4 of the ES [APP-161] . |

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| | | | | | | <p>The individual characteristics and special qualities of the coast in relation to designated landscapes are assessed in Sections 15.9 to 15.14. See Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 5 – Further information for Action Point 27 – South Downs National Park [REP1-024]. How people perceive and interact with the coast and seascape is considered in Sections 15.9 to 15.14.</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 2.6.204 | As part of the SVIA, photomontages are likely to be required. Viewpoints to be used for the SVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage. | | 2.8.210 | As part of the SLVIA, photomontages will be required. Viewpoints to be used for the SLVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage. | <p>Viewpoints for the SLVIA were agreed in consultation with statutory consultees as described in Section 15.3 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056]. Photomontages are included in Figure 15.26 to 15.79, Volume 3 of the ES [APP-091 – APP-095].</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 2.6.205 | Magnitude of change to both the identified seascape receptors (such as seascape units and designated landscapes) and visual receptors (such as viewpoints) should be assessed in accordance with the standard methodology for SVIA. | | 2.8.211 | Applicants should assess the magnitude and significance of change to both the identified seascape receptors (such as seascape and landscape units, visual receptors and the special qualities of designated landscapes) in accordance with the standard methodology for SLVIA. | <p>The assessment has been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology for the assessment of magnitude of change to seascape receptors is summarised in Section 15.8 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES</p> |

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| | | | | | | <p>[APP-056] and set out in full in Appendix 15.2: SLVA Methodology, Volume 4 of the ES [APP-158].</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 2.6.206 | Where appropriate, cumulative SVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 4.2 of EN-1. | | 2.8.212 | Where appropriate, cumulative SLVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 5.10.16-17 of EN-1. | <p>In the Scoping Opinion [APP-125] received from the Planning Inspectorate, which is summarised in Table 15-6 of Chapter 15: Seascape, landscape and visual impact assessment, Volume 2 of the ES [APP-056], the Planning Inspectorate agreed that cumulative seascape, landscape and visual effects of Rampion 2 with other offshore wind projects (with the exception of Rampion 1) can be scoped out of the SLVIA.</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| IPC decision making | 2.6.207 | The IPC should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.9 of EN-1. | Secretary of State decision making Impacts Seascape and visual effects | 2.8.349 | The Secretary of State should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.10 of EN-1. | <p>See responses NPS EN-1.</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 2.6.208 | <p>Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The IPC should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless:</p> <ul style="list-style-type: none"> it considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the | | 2.8.350-2.8.351 | <p>Where an application relates to a proposed development that is at such a distance that it would not be visible from the shore the Secretary of State may conclude that an SLVIA will not be required. Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The Secretary of State should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless:</p> <ul style="list-style-type: none"> it considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, | <p>An SLVIA has been carried out for Rampion 2.</p> <p>Chapter 3: Alternatives, Volume 2 of the ES [APP-044] sets out the alternatives that have been considered. The SLVIA is based on a Rochdale Envelope Approach, which is described in Section 15.7 of Volume 2, Chapter 15 of the ES: Seascape, landscape, and visual impact assessment [APP-056]. The Rochdale Envelope Approach and the</p> |

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| | | <p>applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or</p> <ul style="list-style-type: none"> taking account of the sensitivity of the receptor(s) as set out in EN-1 paragraph 5.9.18, the harmful effects are considered to outweigh the benefits of the proposed scheme. | | | <p>taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or</p> <ul style="list-style-type: none"> it takes account of the sensitivity of the receptor(s) and impacts on the statutory purposes of designated landscapes as set out in Section 5.10 of EN-1; and decides that the harmful effects to outweigh the benefits of the proposed scheme. See also Critical National Priority (Section 3 of EN3). | <p>acknowledged need to maintain flexibility until the detailed design stage, post consent, does not lend itself to further detailed consideration of WTG layout within the Rampion 2 array area within the SLVIA, however a number of design principles have shaped the site boundary and placement of WTGs within it, as described in Section 15.7. This section of the SLVIA also sets out the embedded environmental measures applied to address effects on sensitive receptors.</p> <p>See response to Section 5.10 (of 2024 NPS EN-1). Given the urgent need for the type and scale of energy infrastructure proposed (as CNP), the Applicant considers that these adverse impacts are outweighed by the benefits of the Proposed Development.</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | 2.6.209 | Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the IPC should take into account the extent to which the effects are temporary or reversible. | | 2.8.352 | Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the Secretary of State should consider the extent to which the effects are temporary or reversible. | Where the seascape, landscape and visual impacts of Rampion 2 are temporary or reversible, this is set out in Sections 15.9 to 15.14 of Volume 2, Chapter 15 of the ES: Seascape, landscape, and visual impact assessment [APP-056] . The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1. |
| Mitigation | 2.6.210 | Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the IPC should expect it to be unlikely that mitigation in the form | Mitigation | 2.8.263 – 2.8.264 | Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible. | The specific layout of the WTGs has not been defined at this stage. However, Section 15.7 of Volume 2, Chapter 15: Seascape, landscape, and visual impact [APP-056] sets out the embedded environmental measures that have been included in |

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| | | <p>of reduction in scale will be feasible. However, the layout of the turbines should be designed appropriately to minimise harm, taking into account other constraints such as ecological effects, safety reasons or engineering and design parameters</p> | | | <p>However, the siting layout of the turbines should be designed appropriately to minimise harm, considering other constraints such as ecological effects, safety reasons or engineering and design parameters.</p> | <p>order to reduce the potential for seascape, landscape and visual effects. The reductions in the spatial extent of the Rampion 2 array area made throughout the pre-application process have resulted in a material reduction in the maximum possible layout extent and introduced specifically to minimise harm.</p> <p>The Proposed Development is in accordance with these paragraphs of 2011 NPS EN-1 and 2024 NPS EN-1.</p> |
| | | | Mitigation | 2.8.213 – 2.8.217 | <p>Applicants must always employ the mitigation hierarchy, in particular to avoid as far as is possible the need to find compensatory measures for coastal, inshore and offshore developments affecting SACs SPAs, and Ramsar sites and/or MCZs. It is essential that applicants involve SNCBs, other statutory environmental bodies (e.g. Historic England) and Defra, in conjunction with the relevant regulators, as early as possible in the planning process to enable discussions of what is and isn't a significant and/or adverse effect, subsequent implications, and if required, mitigation and/or compensation.</p> <p>At the earliest possible stage alternative ways of working and use of technology should be employed to avoid environmental impacts. For example, construction vessels may be rerouted to avoid disturbing seabirds. Where impacts cannot be avoided, measures to reduce and mitigate impacts should be employed, for example using trenching techniques or noise abatement technology.</p> <p>Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors.</p> <p>Only once all feasible avoidance, reduction and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.</p> | <p>Consultation with key stakeholders and SNCB has been undertaken through the Rampion 2 Evidence Plan Process (reported in the Evidence Plan [APP-243 – APP253]). The specific consultation undertaken for each topic is reported in ES Chapter 6: Coastal processes, Volume 2 [APP-047] to Chapter 29: Climate change, Volume 2 [APP-070] of the ES.</p> <p>As set out within Volume 2, Chapter 5 of the ES: Approach to the EIA [APP-046] a range of statutory consultation and non-statutory consultation has been carried out, including on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options for receptors. Specific information on any feedback received is presented in the individual environmental aspect chapters (Chapters 6: Coastal processes to 29: Climate change, Volume 2 of the ES [APP-047 – APP-070]) which include a 'Consultation and engagement' section. A Consultation Report has also been submitted [APP-027 – APP-030] which summarises the consultation that has been undertaken</p> |

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| | | | | | Where several developers are likely to have cumulative impacts on the same species or feature it may be appropriate to collaborate on mitigation and compensation measures (see paragraphs 2.8.273 below for further guidance on compensation). | and how the responses received have influenced the application for each of the ES aspect chapters, relevant desk top study and up-to-date survey has informed the assessments. The Proposed Development is therefore considered to accord with these paragraphs of 2024 NPS EN-3. |
| | | | Compensatory measures | 2.8.265 – 2.8.266 | With increasing deployment of offshore wind farms and offshore transmission, environmental impacts upon SACs SPAs, and Ramsar sites and MCZs (individually and as part of a network) may not be addressed by avoidance, reduction, or mitigation alone, therefore compensatory measures (through derogation for SACs SPAs, Ramsar sites, and, MCZs may be required at a plan or project level where adverse effects on site integrity and/or on conservation objectives cannot be ruled out. For many receptors, the scale of offshore wind and offshore transmission developments and potential in-combination effects means compensation could be required and applicants must refer to the latest Defra compensation guidance when making their assessments. | See consideration of 2024 NPS EN-1 paragraphs 4.2.10 – 4.2.13 and 4.2.18 – 4.2.22 above. The Proposed Development is therefore considered to accord with these paragraphs of 2024 NPS EN-3. |
| | | | | 2.8.267 - 2.8.275 | If, during the pre-application stage, SNCBs indicate that the proposed development is likely to adversely impact a protected site, the applicant should include with their application such information as may reasonably be required to assess potential derogations under the Habitats Regulations or the Marine and Coastal Access Act 2009. Where such an indication is given later in the development consent process, the applicant should share this information as soon as reasonably practical. This information includes: <ul style="list-style-type: none"> assessment of alternative solutions, showing the relevant tests on alternatives have been met; | The Applicant has utilised feedback from relevant stakeholders and SNCB (Natural England) to inform preparation of the RIAA [APP-038] and in-principle compensatory measures for the Proposed Development. The Applicant has applied a five-step process to develop compensatory measures in view of existing Defra guidance and advice from Natural England (outlined in Section 6 of the HRA (Without Prejudice) derogation case [APP-039]). See consideration of 2024 NPS EN-1 paragraph 5.4.30. Consultation has been undertaken through the Rampion 2 Evidence Plan Process (reported in |

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| | | | | | <ul style="list-style-type: none"> • a case showing that the relevant tests for IROPI or Measures of Equivalent Environmental Benefit have been met; and • appropriate securable environmental compensation, which will ensure no net loss to the MPA network and help ensure that the MPA target (including any interim target) set under the Environment Act 2021 targets can be met. <p>Provision of such information will not be taken as an acceptance of adverse impacts and if applicants dispute the likelihood of adverse effects, they can provide this information as part of their application, ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development.</p> <p>It is vital that applicants consider the need for compensation as early as possible in the design process, as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process. Applicants are encouraged to include all compensatory measures considered, with reasoning for why they have been discounted.</p> <p>Applicants should work closely at an early stage in the preapplication process with SNCBs, and Defra, in conjunction with the relevant regulators, Local Planning Authorities, National Park Authorities, landowners and other relevant stakeholders to develop a compensation plan for all protected sites adversely affected by the development.</p> <p>Before submitting an application, applicants should seek the views of the SNCB and Defra, as to the suitability, securability and effectiveness of the compensation plan to ensure that the overall coherence of the National Site Network for the impacted SAC/SPA/MCZ feature is protected. Consultation should also take place throughout the pre-application phase with key stakeholders (e.g. via the evidence plan process and use of expert topic groups).</p> | <p>the Evidence Plan [APP-243 – APP253]).</p> <p>The Proposed Development is therefore in accordance with these paragraphs of 2024 NPS EN-3.</p> |

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| | | | | | <p>In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority and Secretary of State.</p> | |
| | | | <p>Compensatory measures Strategic compensation</p> | <p>2.8.276 – 2.8.279</p> | <p>The British Energy Security Strategy has committed to introducing mechanisms to support strategic compensatory measures, to compensate for environmental impacts and reduce delays to individual projects.</p> <p>Strategic compensation is defined as a measure or a series of measures that can be delivered at scale and/or extended timeframes, which cannot be delivered by individual offshore wind and/ or offshore transmission project developers in isolation. Any measure(s) would usually be led and delivered by a range of organisations, including Government, industry and relevant stakeholders. Strategic compensation measures would normally be identified at a plan level and applied across multiple offshore wind projects to provide ecologically meaningful compensation to designated site habitats and species adversely impacted, ensuring the coherence of the MPA network.</p> <p>This may include central coordination for measures delivered across a series of projects or biogeographic region.</p> <p>Applicants will be able to access tools and mechanisms to support identification of suitable compensation and facilitate delivery of strategic compensation measures where appropriate.</p> | <p>The government is still developing its policies on strategic compensation, which have yet to come into force. Therefore, there is no material impact for the consideration of the Proposed Development.</p> |
| | | | | <p>2.8.280 – 2.8.283</p> | <p>The government is still developing its policies on strategic compensation, through the COWSC programme and guidance will be published in due course.</p> <p>The government will work collaboratively with industry and stakeholders to develop strategic compensation for projects currently in the consenting process (where possible) as well as for future developments.</p> <p>Not every impact for every project will initially fall within the strategic compensation proposals, so</p> | <p>The government is still developing its policies on strategic compensation, which have yet to come into force. Therefore, there is no material impact for the consideration of the Proposed Development.</p> <p>The provision of compensatory measures has not necessitated engagement with other industry</p> |

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| | | | | | <p>applicants should continue to discuss with SNCBs, and Defra the need for site specific or strategic compensation at the earliest opportunity. Applicants should also coordinate with other marine industry sectors, e.g. oil and gas, who might also need to find compensatory measures. This will ensure compensatory measures are complementary and/or take advantage of opportunities to join together to deliver strategic compensation. Applicant's should demonstrate they have consulted with those industries/stakeholders who are affected by any proposed compensation measures.</p> | <p>sectors, and no other industry sectors are affected.</p> |

