

From: [Preston, Emma](#)
To: [Rampion2](#)
Cc: [REDACTED]
Subject: Rampion 2 - Additional Terrestrial Ecology Submission
Date: 05 April 2024 16:42:07
Attachments: [EN010117_471396 – Rampion 2 - Natural England's Covering Letter Deadline 2.5.pdf](#)
[Appendix J2.5b - Natural England's advice on Calcareous Grassland.pdf](#)
[Appendix N2.5 - Natural England's response to \[PD-008\] The Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters \(2\).pdf](#)
[Appendix J2.5a - Natural England's advice on Terrestrial Ecology .pdf](#)

Dear Sir/Madam,

Please find attached Natural England's additional submission in relation to terrestrial ecology, as mentioned in our deadline 2 covering letter.

We are working to finalise our advice in relation to protected species and this will be submitted at deadline 3.

Kind regards

Emma

Emma Preston

Marine Senior Advisor – Major Casework | Southern North Sea | Sussex and Kent Area Team |
Natural England | [REDACTED]



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Date: 05 April 2024
Our ref: Case: 15576 Consultation: 471396
Your ref: EN010117



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BY EMAIL ONLY

Dear Mr Allen

Rampion 2 Offshore Wind Farm

Natural England is pleased to provide additional submissions following Deadline 2 regarding terrestrial ecology matters. The intention in submitting outside of the deadline schedule is to allow the Applicant sufficient time to review and respond to our comments.

For ease, we have provided our comments in the following Appendices to this letter:

- Appendix J2.5a - Natural England's advice on Terrestrial Ecology
- Appendix J2.5b - Natural England's advice on Calcareous Grassland
- Appendix N2.5 - Responses to Examiners Questions

Natural England will continue to work collaboratively with the Applicant to try and resolve the outstanding terrestrial ecology matters.

We are working to finalise our advice in relation to protected species and this will be submitted at deadline 3.

Yours sincerely

Emma Preston
Marine Senior Advisor
Sussex and Kent Area Team
[REDACTED] [@naturalengland.org.uk](mailto:[REDACTED]@naturalengland.org.uk)



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Rampion Two Offshore Wind Farm

**Appendix J2.5a - Additional Submission -
Natural England's Terrestrial Ecology Advice**

For:

The construction and operation of the Rampion 2 Offshore Windfarm located approximately 13km off the Sussex coast in the English Channel.

Planning Inspectorate Reference EN010117

05 April 2024

Appendix J2.5 Natural England's Advice on terrestrial ecology matters

Documents reviewed to inform this response

- [REP1 - 017] 8.24 Applicant's Responses to Relevant Reps,
- [REP1 – 015/16] 7.22 Commitments Register,
- [PEPD – 033 and PEPD-034] 7.2 Outline Code of Construction Practice
- [REP1-018] 8.25 - Applicant's Response to Action Points Arising from Issue Specific Hearing 1 Date: February 2024
- [REP1-025] - 8.25.6 - Applicant's Post Hearing Submission – Issue Specific Hearing 1 Appendix 6 – Further information for Action Point 7 – Horizontal Directional Drilling at Climping Beach
- [REP1- 021] Document 8.25.2 Appendix 2 - Further information for Action Point 4 – Wineham Lane North
- [PEPD-007] Pre-Exam Procedural Deadline Submission - 2.6 - Tree Preservation Order and Hedgerow Plan - Revision B

Natural England do not have any further comments to make on the following documents at this time, and therefore any comments made within our relevant representations still stand:

- [REP1-006] 6.2.32 Environmental Statement - Volume 2 Chapter 32 ES Addendum
- [REP1-008 and REP1-009] 6.4.23.2 Rampion 2 ES Appendix 23.2 Traffic Generation Technical Note Rev B
- [PEPD-035a and PEPD-036a] 7.6 Outline Construction Traffic Management Plan
- [REP1-022] 8.25.3 Appendix 3 - Further information for Action Point 14 and 16 - Construction Accesses
- [REP1-023] 8.25.4 Appendix 4 - Further information for Action Point 20 - Oakendene Substation Flood Risk
- [PEPD-003] 2.1.2 - Land Plans Onshore - Revision B
- [PEPD-005] 2.2.2 - Onshore Works Plans - Revision B
- [PEPD-018 and PEPD-019] 6.2.21 - Environmental Statement - Volume 2 Chapter 21: Noise and Vibration - Revision B
- [PEPD-022] 6.3.21 - Environmental Statement - Volume 3 Chapter 21: Noise and Vibration - Figures - Revision B
- [PEPD-025 and PEPD-026] 6.4.21.1 - Environmental Statement - Volume 4 Appendix 21.1: Baseline Sound report - Revision B
- [PEPD-027 and PEPD-028] 6.4.21.2 - Environmental Statement - Volume 4 Appendix 21.2: Construction plant list - Revision B
- [PEPD-035a and PEPD-036a] 7.6 - Outline Construction Traffic Management Plan - Revision B (Tracked)
- [AS-003] 5.8 Design and Access Statement
- [PEPD-032, PEPD-113, PEPD-114, PEPD-115, PEPD-116, PEPD-117, PEPD-118, PEPD-119 and PEPD-120] 6.4.25.4 - Environmental Statement - Volume 4 Appendix 25.4: Onshore geophysical survey report - Parts 1 to 8 -

Summary

Having reviewed the documents Natural England's advice remains unchanged. Unless there are further project design modifications and/or evidence provided to support the feasibility of mitigation measures many of the terrestrial ecological risks and issues will remain unresolved.

While Natural England welcomes the provision of the terrestrial technical notes; Natural England advises that unless there are further updates to Environmental Statement (ES) chapters, and/or named plans, any responses and commitments made by the Applicant within these documents will not be secured and therefore will not necessarily be 'pulled through' to the post consent phases.

We therefore require our risks and issues to be addressed by the Applicant in updated ES chapters, Named Plans and Development Consent Order/ Deemed Marine Licence (DCO/dML) conditions, in order to provide a clear audit trail through to post consent phases. All documents (including technical notes) should be clearly catalogued by the Applicant for easy reference during the projects post consent phases (some of which last 10+ years) as the Planning Inspectorate (PINs) do not retain this information on their website.

We therefore highlight that in order to not confuse matters during the remainder of the examination and reflecting the number of outstanding issues; it would be beneficial for the Applicant to focus on updating the ES and/or named plans to reflect outcomes/agreements/commitments during Examination. If this is not undertaken, where the Applicant's representations have structured their responses as standalone 'comments on comments', Natural England will only be able to provide limited responses.

Detailed Comments

1. Use of Horizontal Directional Drilling (HDD) or alternative trenchless techniques as a mitigation measure

Having reviewed the Applicant's post application submissions to date, we continue to disagree with their position and conclusions in regard to Horizontal Directional Drilling (HDD). Please see below for more detail.

1.1 Securing commitments to HDD or use of another trenchless technique within named plans

Within the Applicant's updated commitments register [REP1 – 015/16] at Table 1.1 on page 6 we note that commitment C-5 has been updated to clarify that Horizontal Directional Drilling (HDD) or other trenchless technology will be deployed in accordance with Appendix A of the Outline Code of Construction Practice (CoCP). However, the updated CoCP [PEPD – 033] has omitted to update C-5 and remains as:

'C-5 Main rivers, watercourses, railways and roads that form part of the Strategic Highways Network will be crossed by HDD or other trenchless technology where this represents the best environmental solution and is financially and technically feasible (see C-17).'

We advise that this omission is rectified to reflect the updated C-5 in the Commitments Register.

1.2 Defining HDD and other trenchless techniques

The terms HDD and trenchless crossings are not clearly defined in the named plans. To avoid any potential confusion, Natural England would welcome a clear definition within the documents or glossary.

1.3 HDD under sensitive features

Natural England notes that, the text within C-5 only commits to the use of HDD or other trenchless technology for '*Main rivers, watercourses, railways and roads which form part of the Strategic Highways Network*'. We advise that the text should be amended to also include the crossing of sensitive landscape and ecological features in order to strengthen and clarify this commitment and encompass important landscape and ecological features.

1.4 Feasibility of HDD as a mitigation measure

We continue to advise that until a feasibility study using relevant geotechnical survey data has been completed, the use of HDD as mitigation to avoid significant landscape and biodiversity impacts at key locations cannot be relied upon.

We continue to advise that should HDD not be feasible, the risk to landscape and biodiversity would be of major significance, with no options available to compensate for impacts on ancient woodlands and chalk scarps. We therefore advise that if HDD (or suitable alternative) cannot be delivered, a material change to the DCO and/or new permission would be required for an alternative route outside of the proposed red line boundary.

In light of this, we believe that there is sufficient risk associated with the requirement to deliver this mitigation measure, that an Outline Horizontal Directional Drilling Feasibility study must be provided into the examination.

2. Mitigation Hierarchy in regard to Hedgerows

Having reviewed the documents submitted at Deadline 1, Natural England has significant concerns with the application of the Mitigation Hierarchy in avoiding, reducing and mitigating impacts where possible. In considering the additional information supplied and re-assessing the ES, we consider this matter is of sufficient significance to highlight at this time.

The Errata has highlighted a number of hedgerows which may now be removed through the scheme, but the Tree Preservation and Hedgerow Plan (B), Outline Code of Construction Practice [PEPD-033] including Appendix B, do not demonstrate how impacts to hedgerows will first be avoided via trenchless crossings and/or locating the route through any existing gaps/ gappy sections of hedgerow.

The assessment has not acknowledged the importance of hedgerows as critical linear priority connecting habitats supporting Nature Recovery and therefore impacts must be reduced as much as possible. And Biodiversity Net Gain should be secured through the named plans.

Natural England would like to highlight our landscape advice, provided in appendix H, of our relevant and written representations on this topic. The Project's environmental statement should be clearly integrated to include landscape and ecology, and consideration of all linear habitat features. The assessment must demonstrate how harm will be avoided and mitigated. Where this is demonstrably unavoidable and linear habitats are severed, compensation must assess severance at the time of impact, confidence in efficacy of reinstatement and a clear timeframe for reinstatement which is currently not presented by the Applicant. As highlighted in our relevant and written representations we advise further consideration should therefore be given to translocation being effective in the soil and climactic conditions of the SDNP.

3. [REP01 -015/16] Updated 7.22 Commitments Register

We have the following advice regarding the updated commitments Register:

3.1 C-103 details that (our emphasis in bold):

*'Where **practical**, sensitive sites will be avoided by the temporary and permanent onshore project footprint including SSSIs'*. Natural England advises this is amended to remove *'where practical'*. Furthermore, this does not take into consideration Priority Habitats. Which should also be avoided.

3.2 C-19 details that the reinstatement process commenced in as *'short a timeframe as practicable'*. At regular intervals (typically 600m – 1,000m).

We advise that this is critical for landscape and ecology impacts and that the term *'as short a timeframe as practicable'* does not provide sufficient assurance that reinstatement will be sufficiently swift. We therefore recommend that the wording is amended to ensure that the reinstatement takes place no later than the first planting season following the completion of works on any particular section.

3.2 C-27 details that *'Following construction, construction compounds will be returned to previous conditions as far as reasonably possible'*. Again, this does not provide certainty on the final condition of these sites. Natural England recommends that a significantly stronger commitment is provided to ensure they are returned to their previous conditions.

3.3 C112 - We are concerned that this commitment does not include avoiding impacts to Climping Beach SSSI via unplanned activity (our emphasis below). It details that

*'No groundbreaking activity or use of wheeled or tracked vehicles will take place south of the seawall (above mean high water springs) within Climping Beach Site of Special Scientific Interest (SSSI) or Littlehampton Golf Course and Atherington Beach Local Wildlife Site (LWS) **unless remedial action is required**. Any **predicted** activity will be restricted to foot access for the purpose of surveying and monitoring of the progress of the horizontal directional drill (HDD).'*

To avoid ambiguity, Natural England advises that the terms *'unless remedial action is required,'* and *'predicted'* are removed in order to demonstrate that the SSSI will be protected from unplanned works and that further permissions would be required should remedial works be required.

3.4 C-217 confirms that:

'HDD at Climping to avoid period between October and February inclusive, to avoid disturbance to wintering waterbirds during the coldest period'.

We advise that the wintering period should include October to March inclusive.

3.6 C-247 Climping Beach details that:

'RED will 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 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 assets from future coastal erosion and tidal flooding'.

This presents a considerable risk to the SSSI. Until this assessment has been completed, the assessment is not able to robustly demonstrate that it will avoid impacts to Climping Beach SSSI. Again, we advise that feasibility studies and ground investigation works should inform the mitigation process and should be provided into examination at the consenting phase. Please see below for further advice on the commitments for Climping Beach SSSI.

4.[REP1 – 025] 8.25.6 Appendix 6 - Further information for Action Point 7 - HDD at Climping Beach

This document highlights that the Applicant has not undertaken ground investigation work. Until such time as the ground investigation works and feasibility studies have been completed, the Applicant cannot rely on HDD as mitigation for impacts to Climping Beach.

Additionally, to ensure that significant impacts to Climping Beach do not occur we advise that a commitment/consent condition is included within a named plan to prevent the option of open trenching should HDD not be feasible or Detailed ground investigation/models indicate the need for alternative options. C-247 does not prevent damage to the SSSI in this scenario, the commitment here is for additional surveys post consent.

As highlighted above, the wording of C-112 prevents groundbreaking activity or use of wheeled or tracked vehicles within the SSSI for predicted activity only, this does not prevent direct/indirect damage to the SSSI for remedial action, or unplanned events. We advise that this matter is urgently addressed with a commitment to seek further permissions at that time.

8.25.6 Appendix 6 cites the significant cost and effort associated with detailed ground investigation and delaying until post consent is usual practice. However, we advise that that is dependent on the location of the proposed works. Because this project is making landfall next to a Site of Special Scientific Interest, we advise that these investigations are imperative at the consenting phase, as impacts to Climping Beach SSSI must be avoided.

It is stated that ‘Additional works are required to inform HDD design, the profile of which will have sufficient depth to account for forecast coastal change and erosion at Climping Beach’. At this stage therefore the design, feasibility and depth required are unknown. We have requested that the works must be demonstrably resilient to coastal change at the landfall area and will remain buried for the lifetime of the project. This evidence should be provided into examination.

5. [REP1- 021] Document 8.25.2 Appendix 2 - Further information for Action Point 4 – Wineham Lane North

Natural England expect the choice of substation to follow the requirements of the Mitigation Hierarchy.

It appears that the Oakendene substation land contains Priority Habitat (Deciduous Woodland) and is bounded by Ancient Woodland. Commitment C-126 of the Commitments Register [APP-254] provided at Deadline 1 submission states “*All ancient woodland will be retained. A stand-off of a minimum of 25m from any surface construction works will be maintained in all locations from cable installation works.*” Natural England require confirmation as to what the strategy is to protect this Ancient Woodland and how the decision was made to cross directly next to the Ancient Woodland at Taintfield Wood. Natural England require confirmation of the 25m buffer zone for Ancient Woodland at Taintfield Wood, Oakendene.



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Rampion Two Offshore Wind Farm

**Appendix J2.5c - Additional Submission -
Natural England's advice on Priority Habitat Calcareous Grassland**

For:

The construction and operation of the Rampion 2 Offshore Windfarm located approximately 13km off the Sussex coast in the English Channel.

Planning Inspectorate Reference EN010117

05 April 2024

Appendix J2.5c Natural England further Advice on Priority Habitat of principle importance - 'Calcareous Grassland'

In formulating these comments, the following documents have been considered:

- [REP1-017] 8.24. Category 8: Examination Documents Applicant's Responses to Relevant Representations Date: February 2024
- [REP1-018] 8.25. Category 8: Documents Applicant's Response to Action Points Arising from Issue Specific Hearing 1 Date: February 2024

1. Summary

At Deadline 1 the Applicant has provided a further response to Natural England's comments on calcareous grassland. The Applicants current baseline for potential impacts to calcareous grassland is the large expanse at Sullington Hill, which is to be crossed using non-standard trenchless crossing methods. The Applicant identified that where surveys have not been completed due to limited access, should calcareous grassland be identified during surveys prior to construction, then appropriate measures for construction and reinstatement will be developed. We advise that the Applicant needs to define and provide evidence of 'non-standard trenchless crossing' in relation to avoiding impacts to this Priority Habitat of Principal Importance. We advise that all calcareous grassland to be crossed using a trenchless crossing method should be identified at the consenting stage to determine if mitigation measures are sufficient in avoiding impacts to this habitat. We also query what the Applicant's contingency is should this habitat not be avoided, including assessment of likely installation techniques, the potential need for reinstatement and the likelihood of successful recovery, including any supporting evidence.

2. Detailed Comments

Point Ref	Location within Submitted Document			Natural England Response	
	Section	Page	Para Number	Key Concern	Natural England's Advice to Resolve the Issue
1	J122	484	4.6.2	The Applicants response is should calcareous grassland be identified during surveys prior to construction (this would only be expected in areas where access for surveys has been previously limited) then, appropriate measures for construction and reinstatement would be described in the Code of Construction Practice (CoCP) and the Landscape and Ecology Mitigation Plan (LEMP).	Natural England advises a tested trenchless technique is used to cross all calcareous grassland.
2	Action Point 26	11	26	The Applicant confirms non-standard trenchless crossings at Sullington Hill	Natural England requests clarity as to the Applicants interpretation of, 'non-standard

Point Ref	Location within Submitted Document			Natural England Response	
	Section	Page	Para Number	Key Concern	Natural England's Advice to Resolve the Issue
					trenchless crossings'. As no previous development comparable evidence or on-site Geotechnical Investigations have been provided by the Applicant. Natural England is concerned that 'non-standard' could mean, 'non-tested' without this evidence.



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

Rampion 2 Offshore Wind Farm

Appendix N2.5 - Additional Submission

Natural England's Response to the Examining Authority's Written Questions arising out of Issue Specific Hearing 1 on Environmental Matters

For:

The construction and operation of the Rampion 2 Offshore Windfarm located approximately 13km off the Sussex coast in the English Channel.

Planning Inspectorate Reference: EN010117

05 April 2024

Q. No	Question Topic	Question	Natural England's Response
Agenda Item 4 - Effects of the Proposed Substation at Cowfold / Oakendene			
Q4-1	<i>Ecology, wildlife surveys and observations at Oakendene</i> Natural England	Confirm whether there are no designated sites, priority habitats or documented local wildlife sites at the proposed substation site at Oakendene.	While the red line boundary at this locations does not directly overlap any designated sites and local wildlife sites; there is a piece of land containing Priority Habitat Deciduous Woodland within the red line boundary at Taintfield Wood. And directly adjacent to this section of the red line boundary there is also Ancient Woodland with no 25m buffer. Natural England seeks confirmation on the strategy to protect this Ancient Woodland from both direct and indirect impacts.
Q4-2		Comment on the wildlife surveys undertaken by the Applicant at the proposed substation site at Oakendene.	Natural England will provide comments on protected species and the accompanying surveys at deadline 3.
Q4-3		Comment on the wildlife observations made by Interested Parties in regards to this site, particularly by Ms Creaye [RR-164] and [PEPD-077] and Ms Smethurst [RR-236] and [PEPD-083] in their respective Relevant Representations and Responses to Relevant Representations.	Natural England will provide comments on protected species and the accompanying surveys at deadline 3. Following this we will await further engagement from the Applicant on our advice to better understand if any of our concerns align with interested parties. Only where there is alignment to risks and issues will Natural England provide further advice on other parties' representations. Therefore, we provide no advice on either representation at this time.
Agenda Item 5 - Construction Effects			
Q5-1	Biodiversity Net Gain Natural England	Confirm whether the Applicant's approach towards Biodiversity Net Gain (BNG) [APP-193] as its method and approach of mitigating the effects of the Proposed Development is supported, given that BNG is not currently a requirement of nationally significant projects to date.	Natural England welcomes the Applicant's commitment to delivering Biodiversity Net Gain prior to it becoming mandatory for NSIP proposals; especially as the development of this project will occur after BNG will have become mandatory for NSIPs. We also highlight that the Applicant must make every effort to minimise impacts using the Mitigation Hierarchy. However, BNG should not be used as mitigation. This is because BNG is not about maintaining the baseline; it is about enhancing biodiversity ('Net

			Gain’).
Q5-2	HDD at Climping Beach SSSI Natural England	Confirm if further discussions have taken place with the Applicant regarding drilling beneath the Site of Special Scientific Interest (SSSI) since the Application was submitted for examination in August 2023.	Natural England confirms that no further discussions have taken place with the Applicant regarding drilling beneath the Site of Special Scientific Interest (SSSI) since the Application was submitted for examination in August 2023. We have provided additional comments regarding this matter in Appendix J2.5a.
Q5-3		Respond on the adequacy of Commitment C-217 of the Commitments Register [APP-254], which states “The HDD works at the landfall location will be programmed to avoid the winter.	Natural England does not believe C-217 to be sufficiently adequate to protect over wintering birds and we advise that a wintering period of October to March should be secured to ensure that disturbance to the SSSI features during the coldest months are avoided.
Agenda Item 6 - South Downs National Park			
Q6-4	Habitats Regulations Assessment for the Arun Valley Special Protection Area Natural England Horsham District Council	Natural England state in their Relevant Representation (RR) [RR-265 section 5.25 page 16] and Principal Areas of Disagreement Statement [AS-011 page 4], that there is the risk of a temporary loss of functionally linked land used by waterbirds related to the Arun Valley Special Protection Area during the construction phase of the Proposed Development lasting for several years longer than predicted, before it is returned to its previous condition. It is advised that this extended timeframe needs to be further assessed within the Environmental Statement.	Natural England confirms that no further assessment has been provided since the Application was submitted for examination in August 2023.

Q6-5	Water Neutrality Natural England	<p>It is advised [AS-011 page 4] and [RR-265 section 5.26 page 17] that development proposals within the Sussex North Water Supply Zone area that would lead to an increase in water demand will need to demonstrate and robustly evidence water neutrality and that an assessment of water neutrality is required to be undertaken by the Applicant in regards to the Proposed Development.</p> <p>Confirm whether any progress has been made or discussions have taken place with the Applicant in regard to this request.</p>	<p>The Applicant has confirmed in 8.24 Appendix J; “All water to be used in the construction phase within the Sussex North Water Supply Zone including for welfare facilities and to enable trenchless crossing (such horizontal directional drilling (HDD)) will be imported into the area with no mains connections proposed. Therefore, it is possible to screen out water neutrality for the Arun Valley Special Protection Area (SPA), Special Area for Conservation (SAC) and Ramsar site during the construction phase.” Natural England welcomes this confirmation and will review the Report on the Implications for European Sites (RIES) once updated. Natural England request the Applicant provides direction to the section in the Environmental Statement where the water transportation details are provided.</p>
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