



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Rampion Two Offshore Wind Farm

Appendix J4b to the Natural England Deadline 4 Submission
Natural England's advice on Biodiversity Net Gain

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

3 June 2024

Natural England's advice on Biodiversity Net Gain

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

- [APP-193] Volume 4, Appendix 22.15 Biodiversity Net Gain information (BNG) (Revision B) - Tracked Changes Version

1. Summary

Natural England wishes to highlight a significant risk in that the Biodiversity Net Gain Appendix 22.15 does not refer to adhering to the mitigation hierarchy at the detailed design phase. It is important that all biodiversity losses are **avoided/reduced in the first instance**, only moving to mitigation once all avenues to avoid loss are exhausted. We recommend that the Appendix makes it clear that the mitigation hierarchy will be followed throughout detailed design stage to avoid biodiversity loss in the first instance.

Natural England welcomes the commitment to providing 10% Biodiversity Net Gain (BNG) as part of the Rampion 2 project in advance of the mandatory requirement for Nationally Significant Infrastructure Projects in 2025.

We welcome the commitment to providing 70% of the requirement in advance of any loss which will help deliver positive outcomes for biodiversity earlier in the process than then would typically occur.

Natural England acknowledges that there is currently a deficit in terms of biodiversity units and that this has resulted in an unclear representation of units required for no net loss and biodiversity net gain. We note the Applicant proposes to address the unit deficit by purchasing biodiversity credits through a scheme which is yet to be identified, though some possible options have been put forward.

Natural England typically expects; units, habitats, and a suitable scheme to have been identified and secured within the DCO. Natural England recognises that there are inherent difficulties with this due to various aspects of the scheme being finalised at the post consent detailed design stage. While we do not think that this is the best way of approaching BNG requirements, through conversations held with the Applicant we understand the difficulty in distinguishing between mitigation, compensation, enhancement and net gain at this stage.

We recognise that this information will not be provided during the Examination phase and that Natural England will be consulted on post consent plans. We provide the following comments on the current iteration of BNG documents, but do not anticipate providing further detailed comments within the Examination.

2. Detailed Comments

Table 1 Summary of Key Issues Document Reviewed - [APP-193] Volume 4, Appendix 22.15 Biodiversity Net Gain information (Revision B) - Tracked Changes Version

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the Issue
1	4	13	4.1.2	It is stated that <i>'During the detailed design phase, a full survey of affected habitats will be undertaken using the UK Habitat Classification version 2 and the condition assessment criteria published alongside the Statutory Biodiversity Metric (Defra, 2023)'</i>	We welcome that a commitment has been made (C-294) to undertaking further survey work to ascertain the most up to date habitat type and condition to inform the baseline calculations and, ultimately, the units required to achieve a 10% net gain. In addition, we note that the document has been updated to confirm that calculations will be undertaken using the Statutory Biodiversity Metric which is in line with national guidance.

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the Issue
2	4	14	4.1.3	<p>We note that Tables 4-1 to 4-3 have been amended to display the retained, reinstated and permanently lost habitat by local authority area (Arun District, Horsham District and Mid-Sussex District). There are additional tables (4-4 to 4-6) displaying the same information for the South Downs National Park, however this is not additional losses but instead a subset of losses displayed for Arun and Horsham Districts.</p> <p>Our advice is that it would be clearer to display South Downs National Park as an entirely separate set of habitats to be retained, reinstated and permanently lost rather than having some losses displayed twice. This would prevent any potential double counting of units in calculations.</p>	We advise that baseline habitat units and status are displayed separately for Arun District, Horsham District, Mid-Sussex District and South Downs National Park.
3	4	37	4.1.7	<p>We appreciate that, until the final detailed design stage, it is not possible to make assumptions in terms of habitat delivery and reinstatement and that the annex assumes no advanced delivery of units and no time delay. However, we would recommend avoiding stating that providing a large number of biodiversity units pre-commencement would '<i>balance out</i>' the temporary losses as they are not located in the same area and thus the impact on biodiversity, however temporary, is not negated.</p>	We advise that this paragraph is amended to remove the sentence ' <i>However, as the approach detailed in Section 5 will provide a large number of biodiversity units pre-commencement of construction it is a reasonable assumption to make that overall advances or delays would not alter the overall outcome markedly at this juncture (i.e. they will balance each other out)</i> '.

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the Issue
4	4	41	Table 4-8	As advised in our response to the Examiners written questions (Appendix N3 [REP3-086]), we do not feel that Table 4-8 (previously Table 4-5) currently provides a sufficiently clear and transparent explanation of the units required to achieve no net loss and biodiversity net gain.	We advise that the table is revised to include additional information via further narrative or tabular information to make a clear distinction between habitats to be provided via the mitigation hierarchy (i.e. reinstatement of temporary losses and replacement of permanent losses) and those that are required to achieve BNG (additional habitat creation).