

# Rampion 2 Wind Farm

## **Statement of Common Ground – Natural England**

**July 2024**

**Rev E**

Deadline 5 Update

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B	April 2024	Revisions following Page-Turn Meeting	WSP	RED	RED
C	June 2024	Revisions following Page-Turn Meeting	WSP	RED	RED
D	July 2024	Revisions following Page-Turn Meeting	WSP	RED	RED
E	July 2024	Fifth draft reflecting the state of play at Deadline 5	WSP	RED	RED

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# 1. Introduction

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## 1.1 Background

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Rampion Extension Development Limited (RED) (hereafter referred to as ‘the Applicant’) and Natural England (NE) to set out the areas of agreement and disagreement between the two parties in relation to the Proposed Development Consent Order (DCO) Application for the Rampion 2 Offshore Wind Farm (hereafter referred to as “Rampion 2” or “the Proposed Development”).
- 1.1.2 The need for a SoCG between the Applicant and NE was set out within Rule 6 letter issued by the Examining Authority Inspectorate on 14 December 2023 **[PD-006]**. In this letter, the Examining Authority requested that Interested Parties, such as NE, submit Principal Areas of Disagreement Statements (PADS) where the Interested Party: *‘holds a substantive concern or concerns with the Proposed Development’*.
- 1.1.3 This SoCG is intended to cover all topics where agreement is sought between the Applicant and Natural England.
- 1.1.4 This SoCG has been prepared in accordance with the ‘Planning Act 2008: Guidance for the examination of applications for development consent’ (Department for Communities and Local Government (DCLG), 2015 (hereby referred to as ‘DCLG guidance’).
- 1.1.5 Following detailed discussions undertaken through pre-application consultation, the Applicant and Natural England have sought to progress a SoCG. It is the intention that this document provides the Planning Inspectorate with a clear overview of the level of common ground between both parties. This document will facilitate further discussions between the Applicant and NE and will be updated as discussions progress during the Examination.

## 1.2 Approach to SoCG

- 1.2.1 This SoCG has been developed during the pre-examination phase of the Rampion 2 Offshore Wind Farm. The SoCG makes reference to other submission documents that set out, in greater detail, the discussions that have taken place between Natural England and the Applicant. These documents are:
- **Consultation Report [5.1]**;
  - **Planning Statement [5.7]**;
  - **Evidence Plan [7.21]**; and
  - The ‘Consultation’ section included within relevant chapters of the **Environmental Statement [6.2]**.
- 1.2.2 The SoCG is structured as follows:

- **Section 1: Introduction:** Outlining the background to the development of the SoCG;
- **Section 2: Natural England’s role with respect to the SoCG:** Describing the main areas of discussion within the SoCG and a summary of consultation to date;
- **Section 3: Agreement/Disagreement Log:** A record of the positions of the Applicant alongside those of Natural England as related to the topics of discussion and the status of agreement on those positions.

## 1.3 The Proposed Development

- 1.3.1 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.
- 1.3.2 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<sup>2</sup>.
- 1.3.3 The key offshore elements of the Proposed Development will be as follows:
- up to 90 offshore wind turbine generators (WTGs) and associated foundations;
  - blade tip of the WTGs will be up to 325m above Lowest Astronomical Tide (LAT) and will have a 22m minimum air gap above Mean High Water Springs (MHWS);
  - inter-array cables connecting the WTGs to up to three offshore substations;
  - up to two offshore interconnector export cables between the offshore substations;
  - up to four offshore export cables each in its own trench, will be buried under the seabed within the final cable corridor; and
  - the export cable circuits will be High Voltage Alternating Current (HVAC), with a voltage of up to 275kV.
- 1.3.4 The key onshore elements of the Proposed Development will be as follows:
- a single landfall site near Climping, Arun District, connecting offshore and onshore cables using Horizontal Directional Drilling (HDD) installation techniques;
  - buried onshore cables in a single corridor for the maximum route length of up to 38.8km using:
    - ▶ trenching and backfilling installation techniques; and
    - ▶ trenchless and open cut crossings.
  - a new onshore substation, proposed near Cowfold, Horsham District, which will connect to an extension to the existing National Grid Bolney substation, Mid Sussex, via buried onshore cables; and

- extension to and additional infrastructure at the existing National Grid Bolney substation, Mid Sussex District to connect Rampion 2 to the national grid electrical network.

1.3.5 A full description of the Proposed Development is provided in **Chapter 4: The Proposed Development, Volume 2** of the **Environmental Statement (ES) [APP-049]**.

## 2. Natural England's Remit

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### 2.1 Introduction

- 2.1.1 Natural England is a statutory consultee as prescribed under section 42(1)(a) (duty to consult) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009. In their role as Statutory Nature Conservation Body (SNCB) they are responsible for providing advice to project promoters and consultation responses on relevant ecology and landscape matters in response to the Environmental Impact Assessment (EIA) scoping and statutory consultation (including any Preliminary Environmental Information Report (PEIR)) processes, engagement on the development of the Environmental Statement (ES) and Habitats Regulations Assessment (HRA) application documentation and participation in the Examination process.
- 2.1.2 In addition, Natural England is responsible for providing statutory advice to the Planning Inspectorate on any Appropriate Assessment produced by the Planning Inspectorate, in accordance with Regulation 63(3) of the Conservation of Habitats and Species Regulations (2017, as amended).
- 2.1.3 The SoCG covers topics of the DCO application of relevance to Natural England, comprising:
- Content within the Habitats Regulations Assessment;
  - Onshore aspects of the Application:
    - ▶ Landscape Visual Impact Assessment;
    - ▶ Terrestrial Ecology and Nature Conservation; and
    - ▶ Water Environment.
  - Offshore aspects of the Application:
    - ▶ Coastal processes;
    - ▶ Benthic, subtidal and intertidal ecology;
    - ▶ Fish and Shellfish ecology;
    - ▶ Marine Conservation Zone (MCZ) Assessment
    - ▶ Marine mammals;
    - ▶ Offshore and Intertidal Ornithology; and
    - ▶ Seascape, Landscape and Visual Impact Assessment (SLVIA).



## 2.2 Consultation Summary

- 2.2.1 This section briefly summarises the consultation that the Applicant has undertaken with Natural England including both statutory and non-statutory engagement during the pre-application and post-application phases (See Table 2-1).
- 2.2.2 The Applicant and NE have agreed that the submitted SOCG at Deadline 5 is up to date. While the status of matters has been finalised as far as possible, some of the SOCG still report matters as being in the process of discussion. With relevant materials being submitted into Examination at Deadline 5 these need to be considered to close matters and enable the final SOCG to be submitted at Deadline 6.

**Table 2-1 Consultation and Correspondence undertaken with Natural England**

<b>Date and type</b>	<b>Description of consultation</b>
22 April 2020 Early Engagement	RED project call Early engagement was undertaken with Natural England as part of the terrestrial ecology and nature conservation aspect
18 June 2020 Early Engagement	RED project call – South Down National Park Authority (SDNPA) and Natural England
09 September 2020 Steering Group	Rampion 2 Steering Group – evidence plan process
15 September 2020 Expert Topic Group (ETG)	Rampion 2 ETG meeting – Seascape, Landscape and Visual Impact Assessment (SLVIA) / Landscape and Visual Impact Assessment (LVIA), Onshore and Offshore Archaeology and Cultural Heritage
17 September 2020 ETG	Rampion 2 ETG meeting – methodology for Benthic Ecology, Fish and Shellfish Ecology and Nature Conservation
18 September 2020 ETG	Rampion 2 ETG meeting – methodology for Offshore Ornithology, Marine Mammals, and the Habitats Regulations Assessment (HRA)
13 October 2020 ETG	Rampion 2 ETG meeting - additional one-to-one meeting
21 October 2020 Evidence Plan Process (EPP) Steering Group Meeting	EPP Steering Group meeting to discuss updates for the Proposed Development and activities undertaken.
28 October 2020 ETG	Rampion 2 ETG meeting – Onshore Ecology, Hydrology and Nature conservation
10 November 2020	Technical Note dated 10 November 2020

<b>Date and type</b>	<b>Description of consultation</b>
Technical Note regarding LVIA	LVIA study area and viewpoint selection was undertaken in November and December 2020 with the SDNPA, Natural England, West Sussex County Council (WSCC), Horsham District Council (HDC), Arun District Council (ADC) and Mid-Sussex District Council (MSDC)
27 November 2020 Response	Rampion 2 additional ETG meeting - Natural England comments.
4 December 2020 Further Engagement and Technical Note regarding LVIA	Technical Note dated 4 December 2020 LVIA study area and viewpoint selection was undertaken in November and December 2020 with the SDNPA, Natural England, WSCC, HDC, ADC and MSDC
7 December 2020 Further Engagement – Email	Email from RED to Natural England - LVIA viewpoint selection
25 February 2021 Targeted engagement	Progress meeting with Natural England on SLVIA and Benthic methodology.
16 March 2021 ETG	Rampion 2 ETG meeting – Traffic, Air Quality, Noise and Socio-economics
18 March 2021 ETG	Rampion 2 ETG meeting - SLVIA/LVIA, Onshore and Offshore Archaeology and Cultural Heritage
23 March 2021 ETG	Rampion 2 ETG meeting – Onshore Ecology, Hydrology and Nature Conservation
24 March 2021 ETG	Rampion 2 ETG meeting - methodology for Benthic Ecology, Fish and Shellfish Ecology and Nature Conservation
26 March 2021 ETG	Rampion 2 ETG meeting – Methodology for Offshore Ornithology, Marine Mammals, and the Habitats Regulations Assessment (HRA)
6 April 2021 Further engagement email	RED project update Proposed survey observations shared with Natural England to confirm the proposed locations and density
Statutory Consultation carried out under Section 42 of the Planning Act 2008 (14 July to 16 September 2021) Statutory consultation response	Response from Natural England dated 16 September 2021 including key topics: SLVIA, MCZ, Fish and Shellfish, Benthic Ecology, Coastal Processes, Offshore Ornithology, Marine Mammals, Onshore Ecology, RIAA, LVIA and Soils

<b>Date and type</b>	<b>Description of consultation</b>
01 November 2021 EPP Steering Group Meeting	EPP Steering Group meeting to discuss updates on the Proposed Development and activities undertaken.
02 November 2021 ETG	Rampion 2 ETG meeting – methodology for Offshore Ornithology, Marine Mammals and the HRA
03 November 2021 ETG	Rampion 2 ETG meeting - methodology for Benthic Ecology, Fish and Shellfish Ecology and Nature Conservation
04 November 2021 ETG	Rampion 2 ETG meeting – SLVIA, Cultural heritage and marine archaeology methodology.
15 February 2022 Targeted meeting	Additional targeted offshore cable corridor meeting
24 February 2022 Targeted meeting	Additional targeted Underwater Noise (UWN) mitigation meeting
02 March 2022 Targeted meeting	Additional targeted SLVIA ETG meeting.
12 April 2022 ETG	Rampion 2 Expert Topic Group meeting – Methodology for Offshore Ornithology, Marine Mammals and the HRA
26 May 2022 ETG	Rampion 2 ETG meeting - methodology for Benthic Ecology, Fish and Shellfish Ecology and Nature Conservation
17 June 2022 ETG meeting	Additional targeted SLVIA ETG meeting
12 September 2022 Targeted meeting	Underwater noise Black Bream
22 September 2022 Targeted meeting	Kittiwake strategic compensation meeting
08 November 2022 ETG	Rampion 2 ETG meeting – Terrestrial ecology
01 March 2023 ETG	Rampion 2 ETG meeting – Landscape and visual and Historic Environment
07 March 2023 ETG	Rampion 2 ETG meeting – Terrestrial ecology and Water environment
30 March 2023 Targeted meeting	Underwater noise in Black Bream
14 June 2023	Rampion 2 ETG meeting – LVIA and Historic environment

Date and type	Description of consultation
ETG	
16 June 2023 ETG	Rampion 2 ETG meeting – Air quality, Noise & vibration, Soils & agriculture and Ground conditions.
14 July 2024 Written advice	Rampion 2 Wind Farm Piling Noise and Black Seabream – Further information and Response Paper
15 February 2024	Landscape and Visual Assessment - Expert to Expert session
15 February 2024	Rampion 2 Page Turn meeting to discuss Rev A of the Statement of Common Ground, and propose clarified positions on discussion matters now responses have been provided to initial concerns.
26 March 2024	Natural England and RED Rampion 2 Co-Ordination Call
17 April 2024	Meeting to discuss compensation options for kittiwake, razorbill and guillemot.
11 June 2024	Rampion 2 Co-Ordination Meeting (Deadline 5)
28 June 2024	Terrestrial Ecology Expert to Expert Meeting
02 July 2024	SOCG Page Turn Meeting

### 3. Agreement/Disagreement Log

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and Natural England for each relevant component of the Application identified in paragraph 2.1.4. The tables below detail the positions of the Applicant alongside those of Natural England and whether the matter is agreed or not agreed.
- 3.1.2 In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or an ‘ongoing point of discussion’, the agreements log in the tables below are colour coded to represent the status of the position according to the criteria in **Table 3-1** below.

**Table 3-1 Position status key**

Position Status	Colour Code
The matter is considered to be agreed between the parties	Agreed
The matter is neither ‘agreed’ or ‘not agreed’ and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties, however the outcome of the approach taken by either the Applicant or Natural England is not considered to result in a material outcome on the assessment conclusions.	Not agreed - No material impact
The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or Natural England is considered to result in a materially different outcome on the assessment conclusions.	Not agreed - material impact

- 3.1.3 The overview of the status of discussion on all of the themes presented in the Agreement/Disagreement log has been reported throughout the Examination via the Statements of Commonality **[APP-8.31]**. The opening position of the stakeholder is reported against the evolving position of the Applicant. Where agreement is reached, this indicates that the stakeholder and Applicant mutually support the position stated by the Applicant. The date of agreement is noted and the ‘Record of Progress’ section of the SOCG tables captures how the issue reached the final ‘position status’, as in Table 3-1 above.

- 3.1.4 The Agreement/Disagreement Log presents the opening position of the stakeholder, and this is reported against the position of the Applicant which has evolved during the course of the Examination. Where agreement is reached- this indicates that the stakeholder and Applicant mutually support the position stated by the Applicant. The date of agreement is noted and the 'Record of Progress' section of the Log captures how the issue reached the final 'position status' (key for this is found in Table 3-1 above).

**Table 3-2 Status of discussions related to Landscape and Visual Impact**

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE1	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p><b>Concerns regarding adequacy of mitigation proposals for landscape impacts on SDNP due to onshore cable installation</b></p>	<p>The Development will have Significant landscape impacts on SDNP due to onshore cable installation.</p> <p>Natural England advises that due to the substantial lack of credible and detailed evidence in relation to the mitigation proposed, the assessment of effects as set out in the LVIA cannot be relied upon, and that there will be significant residual adverse landscape and visual effects on the SDNP and on its special qualities, setting or integrity.</p> <p><b>Further information needs to be provided to evidence that the proposed mitigation measures are feasible and effective.</b></p>	<p>The Applicant acknowledges that there are some significant LVIA effects on landscape and visual receptors due to onshore cable installation in the Environmental Statement.</p> <p>The mitigation is credible and robust, detail to reassure stakeholders has been added and case studies have been included in response to the request from Natural England and other stakeholders.</p> <p>The LVIA of the SDNP is set out in <b>Appendix 18.3, Volume 4</b> of the ES [APP169]. A number of embedded mitigation measures are listed out in Table 18-25. The LVIA acknowledges that there <i>"will be a significant effect on two of the special qualities and associated setting during the construction phase"</i> and that during construction there will be significant LVIA effects on landscape and visual receptors. The LVIA also concludes that during operation <i>"there will be localised and significant effects on particular landscape elements (trees, woodland and hedges) through Years 1 to 10 reflecting the loss of mature trees, woodland and hedges that cannot be replaced in Year 1."</i> These effects will be partly mitigated through the provision of new, replacement native planting which will be maintained. <i>"These localised effects on individual landscape elements will appear in isolation and will not be sufficient in number, density, pattern or distribution to sustain significant effects on landscape character. There will be no obvious 'linkage' between them due to the reinstatement of the onshore cable corridor."</i> The LVIA concludes that the short duration, reversibility and limited effect on landscape elements (during operation) would not lead to an effect on the integrity of the SDNP.</p> <p>Mitigation relied upon to reduce the residual landscape and visual effects relates to the use of credible and robust techniques, including trenchless crossing techniques (e.g., HDD) and combinations of retaining and reinstating vegetation through construction design, programming, 'notching', and replanting.</p> <p>The <b>Outline Code of Construction Practice [APP-224]</b>, commitment C-115 of the <b>Commitments Register [APP-254]</b> and the assessment in <b>Chapter 22 Terrestrial Ecology and Nature Conservation, Volume 2</b> of the ES [APP-063] therein describe the approach to hedgerow notching. In</p>	<p><b>Not agreed - material impact</b></p>		<p>02/07/24: The progress the Applicant has made in clarifying mitigation and adaptive management measures has been noted by Natural England. However, Natural England continue to hold concerns regarding C-115 and continue to dispute the effectiveness of notching hedgerows. Final confirmation of status will be provided post deadline 5.</p>

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
			<p>response to Relevant Representations the text for C-115 has been amended to ensure it is easier to understand. The removal of short sections of hedgerow to allow the installation of cables and replanting is a typical approach used on the majority of cabling / pipeline projects the only difference is the extent of the gap, which the Applicant has sought to minimise already by considering what is feasible and proportionate for each individual hedgerow crossing. Further information on this is provided in the <a href="#">Outline LEMP, Annex A [APP-232]</a>. The existence of hedgerows planted and established across the SDNP provides evidence that hedgerows can be established in this area and there is no reason to suppose that new hedgerow plants, planted to infill gaps in hedgerows that have been notched would not establish in a similar manner to the existing hedges.</p> <p>The <a href="#">Outline LEMP [APP-232]</a> sets out management and maintenance including replanting should any plants fail. This has been updated with further details confirmed at deadline 3.</p> <p>Hedgerows are 'man-made' elements and often subject to replanting / coppicing / laying / trimming. An actively farmed and rural landscape includes examples of change to hedgerow management and the establishment of new hedgerows as part of its 'working' landscape character – this often varies between landowners and LCAs.</p>			



**Table 3-3 Status of discussions related to Terrestrial Ecology and Nature Conservation**

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE2	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Feasibility of trenchless techniques</p>	<p>Natural England has major concerns regarding the feasibility of Horizontal Directional Drilling (HDD) and therefore its likely effectiveness in mitigating impacts. The concerns are focused on the areas of Climping Beach SSSI, Sullington Hill, and Michelgrove Park.</p> <p>Geotechnical information needs to be provided to understand the feasibility and effectiveness of this approach. We remain concerned that post-consent studies will reveal that the method is not likely to be effective or will result in impacts not predicted in the ES, and that the submitted DCO has no contingency options secured. We consider it entirely plausible that a formal change to the DCO will be required, which could require a material change application.</p> <p>Any open trench crossing through the chalk scarps of the SDNP will result in irrevocable harm to special qualities 1 and 3 of the National Park and landscape character, which could never be mitigated.</p>	<p>The potential risks of HDD have been considered by the relevant Chapters of the ES and are assessed as <b>Low</b>.</p> <p>HDD is a mitigation that has been used routinely for linear projects (electrical transmission cables and pipelines (e.g., gas, oil and water) for both large infrastructure and smaller scale applications. HDD has been used frequently to cross a range of sensitive ecological features including designated sites, ancient woodland, rivers and other priority habitats and make landfall for both offshore wind farm transmission cables and electrical interconnectors.</p> <p>During the course of the Examination the Applicant has submitted additional detail on case studies and precedent of the use of trenchless crossing technologies through chalk substrate, including examples of its use for long stretches through challenging terrain and within National Parks and under designated features such as SSSIs.</p> <p>The Applicant has presented a range of relevant entries in the Commitments Register <b>[APP-254]</b> and has submitted responses on risk mitigation techniques into the Examination</p> <p>The <b>Outline Construction Method Statement [APP-255]</b> provides further information regarding the detailed design of the trenchless crossings in Section 3.4 and the further information required to inform this (e.g., ground investigation). The detailed design of a trenchless crossing will be undertaken within the established parameters assessed in the ES as detailed in 4.5.27 of Environmental Statement <b>Chapter 4: The Proposed Development, Volume 2 [APP-045]</b> and secured in Schedule 1 Part 3, requirement 10 of the <b>draft Development Consent Order [APP-019]</b> to be approved by the relevant planning authority. Any assessment required at the detailed design stage would be undertaken in accordance with the established methodologies outlined in the ES.</p>	Not agreed - Material impact	02/07/24	<p>05/07/2024 – Natural England requested this moves to Red.</p> <p>22/05/2024: The Applicant has discussed with Natural England an update to commitment C-112 with regards HDD and Climping Beach SSSI to provide clarity should it be implemented. NE plans to advise on this at Deadline 5.</p> <p>26/03/2024: Natural England stated that this matter would not be resolved on the grounds that the Applicant has confirmed that it will not conduct geophysical site investigation of ground conditions prior to DCO consent, and therefore needs to be shown as a disagreement.</p>

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE3	<b>Protected species and licensing</b>	<p>Natural England request that the Applicant completes draft protected species licence applications.</p> <p>Natural England has highlighted that there will remain a residual risk around protected species licensing for those species where draft licence applications have not been made. It is acknowledged that this risk applies across different development projects due to the mobile nature of the species under discussion and the time between consenting and construction.</p> <p>Natural England note that pre-construction surveys for protected species are secured via commitment and the results will be used to inform detailed design and the implementation of the mitigation hierarchy (also secured via commitment).</p>	<p>The Applicant has agreed to submit draft protected species licence applications and has justified why it is doing so for some and not others.</p> <p>The Applicant acknowledges that there will always remain a residual risk associated with legally protected species during the construction phase (e.g. if a new badger sett has been dug within an area of proposed works). The Applicant notes that there is flexibility within the draft Order Limits to enable any constraints identified through pre-construction surveys to be dealt with in a straightforward manner (i.e. via micro-siting) and other measures that could be used should micro-siting not avoid the issue (e.g. use of a small trenchless crossing beneath a tree supporting a bat roost).</p> <p>The Applicant notes that most development projects, at a variety of scales, will hold residual risks regarding protected species. It is also acknowledged that the larger the proposed development, the greater the opportunity to encounter these risks.</p>	Agreed	02/07/2024	<p>02/07/24: The Applicant discussed this issue with Natural England and agreed that a common position was held, and it can be reported as <b>green</b>.</p> <p>The Applicant and Natural England agreed that adding this issue to the Statement of Common Ground was important as it acknowledges both that there is agreement on the issue and mutual recognition of a residual risk.</p>

**Table 3-4 Status of discussions related to Water Environment**

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE4	WFD	Agreement of study area.	The Applicant welcomes Natural England's agreement of the study area.	Agreed	24/03/2021	
NE5	WFD	Agreement of assessment approach.	The Applicant welcomes Natural England's agreement of the assessment approach.	Agreed	24/03/2021	
NE6	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Impacts on Arun Valley SPA and Ramsar site – requirement for water neutrality.</p>	<p>Natural England advise 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.'</p> <p>An assessment of water neutrality is required.</p>	<p>A meeting was held on 22 May 2024 with Natural England and HDC to discuss water neutrality. On 01 May 2024 HDC stated that they were confident that the following could be agreed between the Applicant, HDC and natural England on the basis that it is consistent with approaches taken on similar projects nearby.</p> <p>On 22 May 2024 HDC outlined that construction water usage could be screened out as the types of indicative volumes (set out in [REP3-051]) would fall well within HDC's headroom capacity for water use. This was because over 1000 homes were being built p/a prior to the neutrality position statement (in 2021) and that has since dropped significantly to around 300 homes p/a. This position removes the need for tankering all construction water in for Rampion 2 within the Sussex North supply zone. In relation to operational and maintenance water usage Horsham District Council agreed that the indicative volumes represented very low usage in the context of other development and could likely be accommodated by an offsetting scheme if access to such a future scheme were available. The Applicant also noted that other options are available should a strategic offsetting scheme not be available. These are documented in Chapter 26 [APP-067], Design and Access Statement [REP3-013] and secured by Requirement 8 [3] in the Draft DCO [REP4-004].</p> <p>At the meeting on 22 May 2024 Natural England commented that on the face of it this seemed like a reasonable and acceptable approach in relation to water neutrality.</p> <p>At deadline 5, on the basis that agreement has been reached with all parties: the Applicant has removed C-290 from the Outline Code of Construction Practice [REP4-043] and Commitments Register [REP4-057], as there is no longer the requirement to tanker in all water for construction phase activities.</p>	Agreed	24/06/2024	24/06/24: The position <b>moves from yellow to green</b> on the basis of a Natural England email. Having spoken with Horsham District Council, Natural England also support the position (for screening out construction water usage using the available headroom). Natural England will be providing a response at Deadline 5 to that effect.

**Table 3-5 Status of discussions related to Habitats Regulations Assessment**

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE7	Offshore HRA	Agreement of study area and data gathered for the baseline is considered acceptable for assessment.	The Applicant welcomes Natural England's agreement that the study area and data sources gathered for assessment within DCO application documents are the most suitable	Agreed	18/09/2020	
NE8	Offshore HRA: Ornithology	NE welcome the use of species-specific mean maximum foraging range + 1 standard deviation (Mean Max +1SD), as presented in Woodward et al. (2019).	The Applicant welcomes Natural England's agreement with the use of species-specific Mean Max +1SD.	Agreed	26/03/2021	
NE9	Onshore HRA	NE are content with how onshore receptors and supporting habitats have been screened into the assessment.	The Applicant welcomes Natural England's agreement on the approach to screening onshore receptors and habitats into the assessment.	Agreed	26/03/2021	
NE10	Offshore and Onshore HRA	Agreement of assessment methodology.	The Applicant welcomes Natural England's agreement of the assessment methodology.	Agreed	26/03/2021	
NE11	Offshore HRA: SACs	Natural England agrees with the conclusion of no Adverse Effects on Integrity (AEoI) alone or in combination for Solent Maritime SAC, South Wight Maritime SAC, or Solent and Isle of Wight Lagoons SAC. We understand that these sites are located outside of the 16km tidal exclusion.  Natural England are also likely to agree with the conclusion of no AEoI in relation to the Atlantic salmon feature of The River Itchen SAC, however, suggest that the full range of stationary noise effects are shown to support the conclusions drawn.	The Applicant considers Atlantic salmon to be a fleeing receptor on the basis of their migratory nature, and assumption that they will be transiting the site. However, the Applicant notes that <b>Figure 8.23 of Chapter 8, Volume 3 [APP-049]</b> presents the worst-case impact contours for stationary receptors (which arise from the simultaneous piling of multileg foundations), which demonstrates no interaction with the River Itchen SAC.	Agreed	06/11/2023	
NE12	Offshore HRA: SACs	Natural England agree that no English sites with marine mammal designated features are required to be taken to Stage 2 of the Habitats Regulations Assessment (HRA) i.e., no Likely Significant Effects are predicted to occur.	The Applicant welcomes Natural England's agreement of marine mammal designated features.	Agreed	06/11/2023	
NE13	Offshore HRA: Flamborough and Filey Coast Special	Natural England consider that the in-combination effects of the Proposed Development with other projects would result in an Adverse Effects on Integrity (AEoI) to the	The Applicant does not agree with the methodology suggested by Natural England to determine in combination effects and maintains that no AEoI is predicted to occur.	Not agreed - no material impact		

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
	Protection Area (FFC SPA)  In-combination impacts on kittiwake - AEol	Flamborough and Filey Coast Special Protection Area (FFC SPA).	While there is disagreement on the AEol aspect there is agreement on the suitability of the measures proposed as compensation, on without prejudice basis.			
NE14	Offshore HRA: Flamborough and Filey Coast Special Protection Area (FFC SPA)  In-combination impacts on kittiwake – Compensation	Kittiwake – the additional impact from Rampion 2 risk furthering adverse effects from existing and proposed windfarms.  The Applicant has provided further details of the proposed Kittiwake Implementation and Monitoring Plan (KIMP). The plan involves entering into an agreement with RWE Dogger Bank South (DBS) to allocate nesting sites on the pre-existing artificial nesting structure (ANS) at Gateshead to Rampion 2. Natural England consider this to be an appropriate and proportionate measure to compensate for the small contribution of Rampion 2 to the in-combination adverse effect on the kittiwake feature of Flamborough and Filey Coast (FFC) SPA.	The Applicant welcomes Natural England's agreement on the appropriateness of the measure. The Applicant is continuing to progress a collaborative approach to deliver additional nest spaces on an Artificial Nesting Structure (ANS) and have submitted a letter of intent signed by the Dogger Bank South Wind Farm project confirming their intention to participate in a such a collaborative approach to the Planning Inspectorate. The Applicant welcomes further comments from Natural England on this proposal.	Agreed	02/07/2024	The Applicant has submitted at Deadline 4 an updated <b>Habitats Regulations Assessment (Without Prejudice Derogation case) [REP4-014]</b> (to include guillemot and razorbill) and provided an updated <b>Alternative Schedule 17 (on a without prejudice basis) [REP4-016]</b> to address the concerns raised by NE.  Moved from yellow to green.
NE15	Offshore HRA: FFC SPA  In-combination impacts on guillemot and razorbill  Farne Islands SPA – In-combination impacts on guillemot - AEol	Natural England consider that the in-combination effects of the Proposed Development with other projects would result in an Adverse Effects on Integrity (AEol) to the Farne Islands SPA.	The Applicant does not agree with the methodology suggested by Natural England to determine in combination effects and maintains that no AEol is predicted to occur.  While there is disagreement on the AEol aspect there is agreement on the suitability of the measures proposed as compensation, on without prejudice basis..	Not agreed - no material impact		
NE16	Offshore HRA: FFC SPA	FFC guillemot and razorbill, Farnes guillemot – the additional impact from Rampion 2 risk	As presented within the Table 7-10 of the Report to Inform Appropriate Assessment <b>[APP-038]</b> , based on the Applicant's approach to assessment of both auk species the level of impact apportioned to the qualifying auk features of	Agreed	02/07/2024	The Applicant has also submitted the following relevant documents:

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
	<p>In-combination impacts on guillemot and razorbill</p> <p>Farne Islands SPA – In-combination impacts on guillemot.</p>	<p>furthering adverse effects from existing and proposed windfarms.</p> <p>The Applicant has provided further details of the proposed Guillemot and Razorbill compensatory measures, which relate to reducing the impacts of recreational disturbance on auk colonies in south west England. Whilst site-specific monitoring information is needed to identify the specific pressures and conservation responses, given the modest contribution of Rampion 2 to the in-combination totals, Natural England consider this measure is likely to provide appropriate and proportionate compensation for the small contribution of Rampion 2 to the in-combination adverse effect on these SPAs.</p>	<p>the FFC SPA was approximately a single breeding adult per annum. When considering the level of potential effect, likely potential connectivity between the project and the SPA and the favourable status of the two auks at the SPA, the Applicant concluded that the potential for an impact of approximately a single additional breeding adult per annum could confidently be concluded as a non-material contribution to any in-combination assessment.</p> <p>However, the Applicant acknowledged Natural England's request and provided an updated in-combination assessment for the requested sites and features. Following confirmation from Natural England that it does not consider an adverse effect in integrity can be ruled out, the Applicant submitted an updated <b>Habitats Regulations Assessment (Without Prejudice Derogation case) [REP4-014]</b> (to include guillemot and razorbill and provided an updated <b>Alternative Schedule 17 (on a without prejudice basis) [REP4-016]</b> at Deadline 4.</p>			<p><b>Appendix 8 – Further Information for Action Point 34 – In Combination Assessment Update for Guillemot and Razorbill [REP1-026],</b></p> <p><b>Guillemot and Razorbill Evidence and Roadmap [REP3-059]</b> updated at Deadline 4 to include initial results of site surveys</p> <p><b>Outline Guillemot and Razorbill Implementation and Monitoring Plan</b> (Document reference: 8.89)</p> <p>Moved from yellow to green.</p>
NE17	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p><b>Concerns</b></p> <p>Onshore HRA:</p> <p>Impacts on Arun Valley SPA and Ramsar site – loss of functionally linked land (FLL) used by waterbirds.</p>	<p>There is the risk of a temporary loss of FLL (during the construction phase) lasting for several years longer than predicted before it is returned to its previous agricultural condition.</p> <p>NE advise that this extended timeframe needs to be further assessed with the ES Actions.</p>	<p>.</p> <p>The FLL identified within the Environmental Statement Chapter 22 Terrestrial Ecology and Nature Conservation <b>[APP-063]</b> and the Report to Inform the Appropriate Assessment <b>[APP-038]</b> is precautionary.</p> <p>The habitats likely to attract wildfowl within the Arun Valley and Adur Valley are a considerable distance from the Arun Valley SPA and Ramsar site suggesting that any functional linkage is likely to be weak at best. Data from two years of wintering bird surveys show that occurrence of the designated features in and around the proposed Order Limits in the Arun Valley occurs in small numbers and sporadic. Although numbers of designated features in the Adur Valley are larger the distance to the designated site is in excess of 13km and occurrence is associated with flooded fields suggesting that any temporary habitat loss will be small and consistent with other areas (e.g., arable fields) being used should restoration not have occurred. Adverse effects on the integrity of the Arun Valley SPA and Ramsar site can therefore be discounted.</p>	Agreed	22/05/24	On 27/06/2024 the Applicant discussed the issue with Natural England and agreed that information provided in the meeting on 22/05/2024 was adequate for an agreement to be reached.

Reference Number	Point of Discussion	Natural England's Position	Applicant's Position	Current Status	Date of Agreement	Record of Progress
NE18	Offshore HRA: SPAs In combination assessment	Natural England agrees with no AoEI in-combination for gannet in relation to FFC SPA. Natural England agrees with no AoEI in-combination for Lesser black-backed gull (LBBG) in relation to Alde-Ore Estuary SPA	The Applicant welcomes Natural England's agreement of no AoEI in-combination for gannet and LBBG in relation to FFC SPA and Alde-Ore Estuary SPA respectively.	Agreed	06/11/2023	
NE19	Offshore HRA: Kittiwake compensation quanta	Natural England considers that should the Applicant secure sufficient nesting space for the number of pairs required to address the 95% UCI value at a ratio of 3:1 that would be a proportionate contribution, given the modest level of impact, and we would consider this matter resolved.	The Applicant disagrees that the upper 95% confidence interval should be used alongside a compensation ratio of 3:1. While there is disagreement on the use of the 95% UCI, the Applicant has presented both cases in the <a href="#">8.64 Kittiwake Implementation and Monitoring Plan [REP3-058]</a> . Please refer to <a href="#">Applicant's Response to Examining Authority's Second Written Questions (Document reference: 8.81)</a> for further details.	Not agreed - No material impact	02/07/2024	The Applicant has provided consideration of compensation requirements when considering both the upper 95% CI as requested within Deadline 3 Submission – <a href="#">8.64 Kittiwake Implementation and Monitoring Plan [REP3-058]</a> . An updated KIMP will be submitted at Deadline 5. Moved from yellow to amber.

**Table 3-6 Status of discussions related to Seascape, Landscape, and Visual Impact Assessment**

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE20	SLVIA Methodology	Agreement of Assessment study area. Agreement of data gathered for baseline/ proposed for the SLVIA assessment considered acceptable.	The Applicant welcomes Natural England's agreement that the study area and data sources gathered for the baseline for assessment within DCO application documents are the most suitable	Agreed	15/09/2020	
NE21	SLVIA viewpoint locations	Agreement of viewpoint locations for use in the SLVIA was reached following consideration of the combined feedback from consultees and discussion during ETG meetings between March 2020 and 17 June 2022.	The Applicant welcomes Natural England's agreement that viewpoints within the DCO application documents are the most suitable.	Agreed	17/06/2022	
NE22	SLVIA worst-case scenario	The 325m WTG worst-case scenario was agreed by all as acceptable. This worst case scenario was adopted at PEIR and for the ES.	The Applicant welcomes Natural England's agreement on the worst-case scenario.	Agreed	28/04/2021	
NE23	<p><b>This is a Principal Area of Disagreement identified by Natural England</b></p> <p>SLVIA Seascape impacts on the South Downs National Park (SDNP), including the Sussex Heritage Coast (SHC)</p>	<p>The Development will have Significant seascape impacts on the SDNP, including the SHC. Natural England does not agree that the Rampion 2 Design Principles fulfil the requirement for good design.</p> <p>Critical issues remain around the magnitude of impact due to size, proximity, and lateral spread of the turbines that will cause harm to the statutory purposes of the SDNP and SHC.</p> <p>No turbines should be constructed in the eastern array/Zone 6. Reduce the combined horizontal extent (lateral spread) of turbines associated with the combined R1 and R2 schemes. Further impact assessment is needed to clarify specific impacts on the SDNP and SHC.</p>	<p>The Applicant has minimised and mitigated significant effects as far as practicable. The Applicant has had regard to these comments and the statutory purpose of the SDNP designation, and as a result, the Zone 6 Area (to the east) and the Extension Area (to the west) have been reduced from the Scoping Boundary to that in the Proposed DCO Order Limits and this is illustrated on <b>Figure 15-2, Volume 3</b> the ES <b>[APP-088]</b>.</p> <p>Opportunities for enhancement of the quality of an area through the 'Good Design' of an offshore wind farm are limited to some degree, due to the technical and economic requirements associated with producing renewable energy as well as other environmental factors, however Section 15.7 of <b>ES Chapter 15 [APP-056]</b> sets out how Rampion 2 responds to 'good design' in respect of seascape, landscape and visual receptors.</p> <p>The proposed Rampion 2 WTGs cannot be entirely excluded from the Rampion Zone 6 area; however, the spatial extent of the Rampion 2 array area has been reduced and designed according to a set of SLVIA specific design principles which limit the extent of Rampion 2 within the Zone 6 area, reduce its field of view (lateral spread), increase its distance offshore (particularly from the SDNP and SHC) and provide separation from Rampion 1, as described in full in Section 15.7 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES <b>[APP-056]</b>. The</p>	Not agreed - material impact	02/07/2024	<p>03/06/2024: Deadline 4. The Applicant considers it has aimed to minimise harm of the offshore proposals to the SDNP during the design of the project and has confirmed that no further mitigation is possible to reduce significant visual effects arising from the WTGs within the array area. The Applicant is continuing to engage with the SDNPA on the matter of compensation.</p> <p>The Applicant has provided further information on the SDNP at Deadline 4 <b>[REP4-064]</b> (as an update to <b>[REP1-024]</b>) to include how it has sought to further the purposes of the SDNP with respect to each special quality.</p> <p>The Applicant has submitted a <b>Draft Offshore Design Statement [REP4-137]</b> at Deadline 4 prepared in</p>



Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
			changes applied to the design of Rampion 2 have reduced the magnitude of effects of the Proposed Development and minimise its harm to the special qualities of the SDNP, as explained fully in Section 15.7 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056].			response to the Examining Authority's Written Question (DE1.1) [PD-009] to the Applicant to explain how the Proposed Development responds to 'Good Design'.  Moved from yellow to red.
NE24	<b>This is a Principal Area of Disagreement identified by Natural England.</b>  SLVIA Seascape impacts on the Isle of Wight Area of Outstanding Natural Beauty (IoWAONB)	The Development will have Significant seascape impacts on IoWAONB.  Critical issues remain around the potential for the lateral spread of the turbines to cause harm to the statutory purposes of this AONB.  Further assessment of the westward expansion is required when considering the effects on the seascape setting of the eastern portions of IoWAONB.	The Applicant has minimised and mitigated significant effects as far as practicable. The effects of Proposed Development on views and perceived special qualities of the IoWAONB are assessed in Section 15.10 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056]. It concludes that the views from the IoWAONB and the perception of its special qualities will not be significantly affected by the Proposed Development. These conclusions are supported by the Isle of Wight Council in their s42 consultation response, set out in Table 15-7 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056].  The conclusions are set out fully in Section 15.15 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056] while Section 15.7 sets out how the design of The Proposed Development shows regard to the statutory purpose of designation with the aim of minimising harm to their special qualities.	Not agreed - material impact	02/07/2024	Natural England considers that the Applicants conclusions cannot be drawn as the Applicant has not provided a formal assessment of effects on Special Quality 5 of the IoWAONB 'dark starlit skies'.  The Applicant notes the assessment of 'dark starlit skies' in <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the Environmental Statement (ES) [APP-056] (Table 15-42).  The Applicant has also provided a response on this matter within the <b>Deadline 3 Submission – 8.54 Applicant's Responses to Examining Authority's First Written Questions (ExQ1) [REP3-051]</b> at SLV1.8 (b).  Moved from yellow to red.
NE25	<b>This is a Principal Area of Disagreement identified by Natural England.</b>	The Development will have Significant seascape impacts on CHAONB.  Critical issues remain around the potential for the lateral spread of the turbines to cause harm to the statutory purposes of this AONB.	The Applicant has minimised and mitigated significant effects as far as practicable. The operational phase effects of the westward expansion of The Proposed Development on views from and the perceived special qualities of the CHAONB and SNDP are assessed in <b>Chapter 15: Seascape, landscape</b>	Not agreed - material impact	02/07/2024	The Applicant has provided a response on this matter within the <b>Deadline 3 Submission – 8.54 Applicant's Responses to Examining Authority's First Written</b>

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
	SLVIA Seascape impacts on the Chichester Harbour Area of Outstanding Natural Beauty (CHAONB)	Further assessment of the westward expansion is required when considering the effects on the seascape setting of the CHAONB.	<p><b>and visual impact assessment, Volume 2</b> of the ES [APP-056], Section 15.10.</p> <p>Although there are some significant effects on views and perceived special qualities of these designations, no effects are of such magnitude or significant. enough, on their own or cumulatively, to compromise the purposes of designation of the CHAONB or SDNP. These conclusions are set out fully in Section 15.15 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056]. Section 15.7 of <b>Chapter 15: Seascape, landscape and visual impact assessment, Volume 2</b> of the ES [APP-056] sets out how the design of The Proposed Development shows regard to the statutory purpose of these designations with the aim of minimising harm to their special qualities.</p>			<p><b>Questions (ExQ1) [REP3-051]</b> at SLV1.8 (a).</p> <p>Moved from yellow to red.</p>

**Table 3-7 Status of discussions related to Benthic, Subtidal and Intertidal Ecology**

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE26	Benthic Ecology	Agreement on assessment study area.	The Applicant welcomes Natural England's agreement on the assessment study area.	Agreed	13/10/2020	
NE27	Benthic Ecology	Agreement on data sources gathered for baseline considered acceptable for assessment.	The Applicant welcomes Natural England's agreement that the data sources gathered for the baseline for assessment within DCO application documents are the most suitable	Agreed	13/10/2020	
NE28	Benthic Ecology	Agreement of assessment approach/methodology	The Applicant welcomes Natural England's agreement of the assessment approach/methodology.	Agreed	13/10/2020	
NE29	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Benthic Ecology Impacts on priority habitats and species in the intertidal and subtidal environment.</p>	<p>Habitats of Principal Importance (including but not limited to <i>Sabellaria spinulosa</i>, chalk, and peat and clay exposures), Annex I habitats (stony reef, bedrock reef) and black seabream nests could be affected. It is currently unclear whether the proposed mitigation will be effective.</p> <p>We advise that geotechnical information is collected to inform a Cable Burial Risk Assessment and is submitted into the Examination. Comprehensive pre-construction surveys will also need to be agreed with Natural England to inform mitigation proposals.</p>	The Applicant has adopted an appropriate approach to minimising potential impacts to priority habitats and species in the intertidal and subtidal environment, with avoidance through informed design/micrositing and, where avoidance is not possible, minimisation of impacts through mitigation as set out within the In Principle Sensitive Features Mitigation Plan [APP-239]. The Applicant has based its assessment of cable burial potential on current data, which is considered appropriate at this pre-consent stage; a full Cable Burial Risk Assessment based on the results of the pre-construction surveys (in accordance with Schedule 12, Condition 16 of the draft Development Consent Order [APP-019]) will be undertaken when the final cable design parameters are determined post-consent.	Ongoing point of discussion		<p>Peat and clay exposures have been added to the specified habitat features in an updated <b>Offshore In Principle Monitoring Plan [REP3-046]</b> submitted at Deadline 3.</p> <p>Commitment C-283 has been updated at Deadline 4 in accordance with suggestions from the Examining Authority in Issue Specific Hearing 2.</p> <p>The Applicant will be submitting an outline Cable Specification and Installation Plan document and an outline Cable Burial Risk Assessment at Deadline 5.</p>

**Table 3-8 Status of discussions related to Fish and Shellfish Ecology**

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE30	Fish and Shellfish - Methodology	<p>Agreement of study area and data gathered for the baseline is considered acceptable for assessment.</p> <p>NE noted that it would defer to MMO/Cefas on whether additional surveys were required to define the baseline for fish and shellfish ecology; Cefas confirmed agreement that adequate information had been provided for the baseline characterisation, and that additional beam and otter trawls were not necessary.</p>	<p>The Applicant welcomes Natural England's agreement on the study area and data gathered for the baseline. The study area defined for the assessment is appropriate for the impacts, pathways and receptors considered and the data collated to characterise the baseline environment area, excepting some uncertainties on black seabream nest locations, is appropriate for the purposes of EIA. The sources of literature, data and publications presented are considered appropriate for fish and shellfish ecology for the purpose of the EIA.</p>	Agreed	<p>17/09/2020</p> <p>also 20/10/2020 and 30/11/2020</p>	
NE31	Fish and Shellfish – bream nesting baseline data	<p>Conducting Drop Down Video surveys outside of the bream nesting season means that the survey outcomes will be limited to confirming only the presence of potential remnant nests and cannot be relied upon to determine the presence or absence of bream nesting. NE will therefore not be in a position to agree with any conclusions on absence or extent of nesting black bream based on surveys undertaken between July and August, which will be based on a lack of visible active nests.</p> <p>Natural England continues to seek a commitment from the Applicant to review all relevant datasets prior to the construction phase, so that mitigation is informed by best available up-to-date evidence.</p>	<p>The Applicant maintains its position that <b>Chapter 8 Fish and shellfish ecology, Volume 2</b> of the ES [APP-049] provides an appropriate baseline for the purposes of EIA. Any information gaps associated with the timing of the baseline survey with respect to bream nesting locations will be addressed through collection of pre-construction survey data to inform nesting areas and the consequent mitigation plan measures associated with offshore cable route design. The timings and spatial limitations of the geophysical surveys have been recognised in Section 8.5 of <b>Chapter 8: Fish and Shellfish Ecology [APP-049]</b>, as requested by Natural England.</p> <p>To address the potential variability in bream nest locations, the Applicant has committed to the mapping of principal densities and aggregations of black bream nesting through pre-construction survey, as set out within the <b>Offshore In-Principle Monitoring Plan [REP4-055]</b>. The pre-construction data and adherence to the mitigation set out within the <b>In Principle Sensitive Features Mitigation Plan [REP4-053]</b>, appropriately provides for uncertainties arising from the timing of the baseline surveys for black seabream nesting locations.</p> <p>The Applicant does not intend to purchase additional black seabream datasets prior to the grant of consent, as the addition of more recent datasets would not alter the conclusions of the assessment in <b>Chapter 8: Fish and shellfish</b>, Volume [APP-049] or the mitigation being proposed. As there is interannual variability in the density and position of black seabream nesting sites,</p>	Not agreed - No material impact	02/07/2024	<p>Principal densities and aggregations of black bream nesting sites will be mapped in the Final Sensitive Features Mitigation Plan, utilising historic desk studies, survey data drawn from the aggregates industry surveys, geophysical survey data for the export cable corridor carried out in 2020 and the pre-construction data that will be collected post-consent. Post-construction, monitoring is set out within the <b>Offshore In Principle Monitoring Plan [REP4-055]</b> and will be informed by the findings of the pre-construction survey in relation to the occurrence and locations of sensitive habitat features.</p> <p>NE suggested collection of any data between the ES and pre-construction survey will be beneficial.</p> <p>Moved from yellow to amber</p>

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
			<p>additional datasets will be relevant for the purposes of micro-siting.</p> <p>As such, the Applicant will purchase the most recent datasets at the time that pre-construction surveys are being completed. Natural England agreed with this approach in principle in a meeting with the Applicant on 8 March 2024.</p>			
NE32	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Short snouted seahorse (<i>Hippocampus hippocampus</i>) features of MCZs – impacts of piling on underwater noise levels.</p>	<p>Natural England does not agree with that there will be no significant risk of hindering the achievement of the conservation objectives in relation to Selsey Bill &amp; The Hounds, Bembridge, Beachy Head West and Beachy Head East MCZ (TTS and behavioural impacts due to piling).</p> <p>Further evidence is required on the modelling impacts and the efficacy of noise abatement measures.</p>	<p>The Applicant maintains their position that a suitably precautionary assessment has been undertaken in <a href="#">Volume 2 Chapter 8 Fish and shellfish ecology [APP-049]</a> to establish the potential impacts from underwater noise on seahorse. The findings of the assessment support the conclusion that the conservation objectives for the Beachy Head West MCZ will not be hindered.</p> <p>Notwithstanding this, the Applicant has committed to the use of DBBC throughout the piling campaign. The implementation of this mitigation will further reduce the impact ranges of underwater noise (including TTS behavioural effect ranges) to sensitive features such as seahorse as features of MCZs in the vicinity of the Proposed Development.</p> <p>Commitment C-265 has been updated accordingly to reflect this proposed mitigation. The mitigated impact ranges, afforded by the implementation of DBBC throughout the piling campaign, have been presented relative to MCZs within the vicinity of the Proposed Development, of which seahorse are qualifying features in the <a href="#">In Principle Sensitive Features Mitigation Plan [REP3-045]</a> (updated at Deadline 4).</p> <p>This is an ongoing point of discussion.</p>	Ongoing point of discussion - pending NE submissions at Deadline 5		<p>The Applicant held a meeting with NE on the 28/06/2024 to discuss underwater noise issues. NE advise they didn't agree with 141dB as a behaviour threshold, and they considered 135dB more precautionary. The Applicant highlighted that although The Applicant does not agree with the 135dB as a behaviour threshold considered that the proposed mitigation would achieve that at the relevant MCZs as shown in <a href="#">Further Information for Action Points 38 and 39 – Underwater Noise [REP4-061]</a> submitted at Deadline 4.</p>
NE33	WCS for underwater noise modelling	NE does not agree that the points chosen to model the worst case scenario are necessarily the WCS., particularly the point to the west closest to Selsey Bill and the Hounds MCZ.	<p>The Applicant has confirmed that the location to the East is the WCS (Row 9, <a href="#">Applicant's response to Action Points Arising from Issue Specific Hearing 2 [REP4-074]</a>). The Applicant considers the modelling point located on the North border of the Wind Farm to be the WCS regarding impacts to Kingmere MCZ as explained in (<a href="#">Applicant's response to Action Points Arising from Issue Specific Hearing 2 [REP4-074]</a>). Regarding the West most location The Applicant will investigate further and confirm to NE if there is a closer or WCS concerning impact on the Selsey Bill and the Hounds MCZ.</p>	Ongoing point of discussion – pending further information from the Applicant.		<p>Deadline 4: The Applicant has responded to queries on the WCS for the modelling location in <a href="#">Applicant's response to Action Points Arising from Issue Specific Hearing 2 [REP4-074]</a>.</p> <p>Pending further information from The Applicant</p>

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE34	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Black seabream (<i>Spondyliosoma aetideus</i>) in Kingmere Marine Conservation Zone (MCZ) - impacts of piling on underwater noise levels.</p>	<p>NE does not agree with that there will be no significant risk of hindering the achievement of the conservation objectives of Kingmere MCZ due to Temporary Threshold Shift (TTS) and behavioural impacts due to piling noise.</p> <p>Piling activities from 1st March to 31st July inclusive have the potential to hinder the conservation objectives of Kingmere MCZ for black seabream, and therefore a full seasonal restriction is needed.</p>	<p>The Applicant maintains their position, that the proposed mitigation measures as detailed in <b>In Principle Sensitive Features Mitigation Plan [REP3-045]</b> (updated at Deadline 4) will ensure no hindrance to the conservation objectives of the Kingmere MCZ.</p> <p>The <b>In Principle Sensitive Features Mitigation Plan [REP3-045]</b> (updated at Deadline 4) sets out multiple mitigation measures during the month of July; these include (in the event that piling is undertaken in July in the western part of the array) the combination of Double Big Bubble Curtains and another noise mitigation measure, and a sequencing approach to piling starting in locations furthest from the MCZ. Through the application of a variety of mitigation measures in July, the Applicant is confident that piling operations will not hinder the Kingmere MCZ conservation objectives.</p> <p>This is an ongoing point of discussion.</p>	Not agreed - material impact		Moved from yellow to red.
NE35	MEEB for Black Bream in the Kingmere MCZ	At a meeting on 28 <sup>th</sup> June 2024 between the Applicant and Natural England. Natural England expressed some concerns with the measures put forward as MEEB, measure 1 (Voluntary seasonal speed limit and voluntary no anchor zone) was the preference, measure 2 (removal of marine litter) and 3 (monitoring and research of black seabream).were not supported.	The Applicant welcomes the feedback form Natural England and highlights that the intention is to continue to develop the proposed measures based on the feedback from Natural England, the MMO and Sussex IFCA between Deadline 4 and Deadline 5.	Ongoing point of discussion – pending NE submissions at Deadline 5	28 <sup>th</sup> June 2024	The Applicant submitted the <b>Without Prejudice Measures of Equivalent Environment Benefit (MEEB) Review for Kingmere Marine Conservation Zone (MCZ) [REP4-078]</b> at Deadline 4 containing a longlist of measures which followed the principles set out by the Defra compensation guidance <sup>1</sup> . The longlist options were then assessed using a Red Amber Green (RAG) assessment (Appendix A), which included an assessment of the measures deliverability, spatial scale, timescale, and an overall feasibility score.

<sup>1</sup> [https://consult.defra.gov.uk/marine-planning-licensing-team/mpa-compensation-guidance-consultation/supporting\\_documents/mpacompensatorymeasuresbestpracticeguidance.pdf](https://consult.defra.gov.uk/marine-planning-licensing-team/mpa-compensation-guidance-consultation/supporting_documents/mpacompensatorymeasuresbestpracticeguidance.pdf)

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
						<p>The Applicant held a meeting with NE on the 28/06/2024 to discuss underwater noise issues and MEEB.</p> <p>An update will be provided by the Applicant at Deadline 6.</p>
NE36	Noise threshold for behavioural effects on black seabream	<p>In relation to black seabream as a feature of Kingmere MCZ, Natural England does not support a behavioural threshold being derived for black seabream from studies using proxy species or research using playback sound or based on captive fish (rather than in the wild).</p> <p>Natural England does not agree with the use of the thresholds proposed by Rampion 2 for black seabream disturbance.</p>	The Applicant maintains their position that a threshold of 141 dB Sound Exposure Level from a single strike (SELss) is an appropriate disturbance threshold for black seabream.	Not agreed - material impact		<p>Deadline 4: The Applicant has submitted disturbance impact ranges as defined using the 135dB threshold (the use of which the Applicant does not support), in the <b>In Principle Sensitive Features Mitigation Plan [REP4-053]</b>.</p> <p>Moved from yellow to red.</p>
NE37	Noise mitigation techniques	Natural England considers the efficacy of the measures in the environmental conditions of the Rampion 2 location has not been satisfactorily demonstrated, and insufficient evidence has been presented to provide certainty that these measures can achieve the levels of attenuation proposed within the specific environmental conditions present at the construction site of Rampion 2.	<p>The <b>In Principle Sensitive Features Mitigation Plan [REP3-045]</b> (updated at Deadline 4) sets out multiple mitigation measures during the month of July; these include (in the event that piling is undertaken in July in the western part of the array) the combination of Double Big Bubble Curtains and another noise mitigation measure, and a sequencing approach to piling starting in locations furthest from the MCZ. Through the application of a variety of mitigation measures in July, the Applicant is confident that piling operations will not hinder the Kingmere MCZ conservation objectives.</p> <p>The Applicant has undertaken additional work at Deadline 4 (<b>Information to support efficacy of noise mitigation / abatement techniques with respect to site conditions at Rampion 2 Offshore Windfarm (Document Reference 8.40)</b>) to provide a comparison of the environmental conditions at the Proposed Development with other projects where Noise Abatement Systems (NAS) have been deployed. These outputs have been used to inform the mitigation measures detailed in <b>In Principle Sensitive Features Mitigation Plan [REP3-045]</b> at Deadline 4</p> <p>This is an ongoing point of discussion.</p>	Ongoing point of discussion – pending NE submissions at Deadline 5		The Applicant held a meeting with NE on the 28/07/2024 to discuss underwater noise issues and NE still has concerns on the efficacy of the mitigation measures proposed and will provide further advice at Deadline 5.

**Table 3-9 Status of discussions related to Coastal Processes**

Reference number	Point of discussion	Natural England's position	Applicant's position	Position status	Date of agreement	Record of Progress
NE38	Physical Processes study area	Agreement of assessment study area.	The Applicant welcomes Natural England's agreement of the study area.	Agreed	13/10/2020	
NE39	Physical Processes baseline data	Agreement of data gathered for baseline considered acceptable for assessment.	The Applicant welcomes Natural England's agreement that the data sources gathered for the baseline for assessment within DCO application documents are the most suitable.	Agreed	13/10/2020	
NE40	Physical Processes methodology	Agreement of assessment approach/methodology.	The Applicant welcomes Natural England's agreement of the assessment approach/methodology.	Agreed	13/10/2020	
NE41	Worst Case Scenarios (WCS) and impact sources	<p>Natural England have the following concerns regarding the submitted WCS:</p> <ul style="list-style-type: none"> <li>• Impacts to the seabed due to spud legs, anchoring and propeller wash.</li> <li>• Maximum design scenario (MDS) sandwave clearance width and length.</li> <li>• Suspended sediment, plumes and subsequent deposition footprint.</li> <li>• Chalk drill arising nature and evolution.</li> <li>• Changes to tidal conditions.</li> <li>• Changes to the sediment transport regime</li> <li>• Temporary sand/gravel bed impacts in shallow water.</li> <li>• Pre-lay grapnel run (PLGR), UXO and boulder clearance.</li> <li>• Impacts to the sandwave field within the array area and their recovery.</li> <li>• Impacts on Kingmere MCZ due to changes in the wave regime.</li> <li>• Impacts to sandbanks and sandwaves due to changes in the tidal regime.</li> <li>• Extent and magnitude of overlapping wakes between Rampion 2 and 1.</li> <li>• Cable protection impacts in nearshore, inter-tidal and shallow areas.</li> <li>• Palaeochannel infill substrate scour.</li> </ul>	These specific identified potential pressures/impacts are considered by the Applicant to be accounted for and included within the MDS envelope for each potential impact type (e.g., seabed disturbance associated with cable burial, sandwave levelling, changes to the wave regime, changes to patterns of currents, landfall activities and infrastructure, scour) in the <b>Chapter 6: Coastal Processes, Volume 2</b> of the ES [APP-047].	Ongoing point of discussion		The Applicant will be submitting an outline Cable Specification and Installation Plan document and an outline Cable Burial Risk Assessment at Deadline 5.



Reference number	Point of discussion	Natural England's position	Applicant's position	Position status	Date of agreement	Record of Progress
NE42	<p><b>This is a Principal Area of Disagreement identified by Natural England.</b></p> <p>Coastal Processes and landfall engineering design</p>	<p>Sea defences at Climping have failed in recent storms, causing further coastal erosion and flooding. It is imperative that landfall HDD burial depths and cable protection options are adequately interrogated to future proof the asset integrity and minimise the need for future cable protection in the coastal zone.</p> <p>NE advise further consideration needs to be given to this within the assessment.</p>	<p>Further ground investigation will be carried out at the landfall at the post-DCO Application stage as outlined in commitment C-247 (<b>Commitments Register [APP-254]</b>) and secured within the <b>Draft Development Consent Order (DCO) [APP-019]</b> Requirement 26. The ground investigation will inform a 'coastal erosion and future beach profile estimation assessment' which will advise regarding the need for and design of the cable burial, including any further mitigation and adaptive measures to help minimise the vulnerability of these assets from future coastal erosion and tidal flooding.</p>	Ongoing point of discussion - pending NE submissions at Deadline 5		<p>In response to the Action Points arising from ISH2 <b>[REP4-074]</b>, The Applicant updated Requirement 23 of the <b>Draft Development Consent Order [REP4-004]</b> to secure that the construction method statement for Work Nos 6 and 7 includes details for the depth of the horizontal directional drilling (HDD).</p> <p>Over the course of the Examination the Applicant has provided responses to the Examining Authority Questions regarding climate resilience considerations at landfall, and more detail on HDD at Climping Beach.</p>

**Table 3-10 Status of discussions related to Marine Mammals**

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE43	Marine Mammals	Agreement of study area and data gathered for the baseline is considered acceptable for assessment.	The Applicant welcomes Natural England's agreement that the study area and data gathered for the baseline are the most suitable.	Agreed	18/09/2020	
NE44	Marine Mammals	NE agrees with Cefas that TTS-onset impact ranges and number of animals in impact ranges but will not present magnitude/sensitivity and overall impact significance scores.	The Applicant welcomes Natural England's agreement that these elements will not present significant impacts.	Agreed	13/10/2020	
NE45	Marine Mammals	NE agrees that data sources provided are reasonable.	The Applicant welcomes Natural England's agreement that the data sources gathered for assessment within DCO application documents are the most suitable.	Agreed	13/10/2020	

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE46	Marine Mammals	Agrees that the noise impact assessment methodology is reasonable.	The Applicant welcomes Natural England's agreement of the methodology for assessing noise impacts.	Agreed	13/10/2020	MMO have also agreed this approach is reasonable in the ETG on 18/09/2020.
NE47	Marine Mammals	NE agreed to inclusion of new dose-response curve for assessment.	The Applicant welcomes Natural England's agreement with the inclusion of dose-response curve for assessment.	Agreed	26/03/2021	Dose-response curve added to assessment.
NE48	Marine Mammals	Agreement of assessment methodology.	The Applicant welcomes Natural England's agreement of the assessment methodology.	Agreed	26/03/2021	
NE49	Marine Mammals	We concur with the applicant's proposal to screen out pathways from the Cumulative Effects Assessment (CEA) where the significance of the impact from the project alone is negligible. Where the significance of the impact from the project alone is minor, the applicant should provide further information if they want to screen out this pathway from the CEA.	The Applicant welcomes Natural England's agreement with the proposal to screen out pathways from the CEA where the significance of the project alone is negligible.	Agreed	07/01/2022	Confirmation provided by Natural England in the following meeting.
NE50	Marine Mammals - Sensitivity definitions	Natural England have concerns over the definitions used for magnitude and sensitivity within Chapter 11 and consider this could lead to an underestimation of likely impacts on marine mammals.	The Applicant has responded to these points throughout the examination in the relevant and written representations. The Applicant is aware that Natural England and MMO maintain the position that the sensitivity score for cetaceans should be high, and that more empirical data is required to conclude a different sensitivity score. The applicant agrees with the SNCBs that more empirical data is required but based on expert opinion, the Applicant maintains that the sensitivity score is low. This matter will not be resolved within the timescale of the examination as more data and further studies are required.	Not agreed - No material impact		
NE51	Marine Mammals - Vessel Management Plan (VMP)	The Applicant has not provided a VMP and Natural England requested that the Applicant provide an Outline VMP containing best practice measures	The DCO condition has been updated so that the VMP will incorporate the Working in Proximity to Wildlife document, which Natural England welcome (Schedules 11 and 12 of the draft DCO, Condition 11(1)(f)). The <b>draft DCO [REP4-020]</b> (updated at Deadline 5) has been updated to confirm that, whilst submitted pre-construction, the VMP must cover the operational lifetime of the authorised scheme.	Agreed	02/07/2024	The Applicant has updated the wording in the <b>draft DCO [REP4-020]</b> (updated at Deadline 5) to reflect that the VMP must cover the operational lifetime of the authorised scheme.

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE52	Marine Mammals – Cumulative Effects Assessment	Natural England have concerns about the CEA for harbour porpoise including the projects that have been included and the conclusion of the assessment	<p>The Applicant has provided an update to the CEA in <b>Chapter 11: Marine Mammals, Volume 2 [REP4-020]</b> (updated at Deadline 5) for projects where the status has now changed, and which are now considered Tier 3. These projects are Dudgeon and Sheringham Extension Project, Norfolk Boreas and Norfolk Vanguard. The CEA for harbour porpoise has also been updated to incorporate the reduced impacts ranges of the Proposed Development as a result of commitment C-265 (the use of double bubble curtains throughout the piling campaign). The conclusion of the updated CEA is that the number of harbour porpoises impacted from Tier 1-3 projects (25,459) is lower than the number reported in Booth et al. (2017) (34,396), therefore the Applicant maintains this would result in a low probability of a population level impact.</p> <p>The challenge of providing an accurate and robust estimate over relatively large timescales and very large spatial scales for a mobile species is commonly acknowledged. To address this, the Applicant has applied precaution at every step of the CEA, which ultimately provides layers upon layers of precaution, generating unrealistic estimates very likely to be much greater than that of the worst-case scenario.</p>	Ongoing point of discussion		
NE53	Marine Mammals – Bottlenose dolphins	Natural England do not agree with the Applicant's assessment conclusions that the impacts on bottle-nosed dolphin will not be significant and advise that further assessment and consideration of mitigation is needed.	In response to ISH2 action point 22, the Applicant will be submitting additional population (iPCoD) modelling for bottlenose dolphin at Deadline 5 <b>Applicant's Response to Action Point 22 - Bottlenose Dolphin Population Modelling (Document reference 8.90)</b> .	Ongoing point of discussion		
NE54	Marine Mammals - WCS	Natural England request the number of piles and pile locations to be clarified and query whether the east and west locations are the worst-case in terms of spatial extent of underwater noise impact,	The Applicant submitted an update to <b>Table 11-13 in Chapter 11: Marine mammals, Volume 2 of the Environmental Statement [REP4-020]</b> at Deadline 4 for clarity. The Applicant has also responded to action point 21 in <b>Applicant's Responses to Action Points Arising from ISH2 and CAH1 [REP4-072]</b> explaining the Worst-Case Scenario.	Ongoing point of discussion		
NE55	Marine Mammals - MMMP	Natural England expressed concerns on the calculation method for ADD (Acoustic Deterrent Device) and advised that the Applicant give due consideration to the uncertainties that exist regarding the levels of abatement that such measures might reach in	The Applicant confirms that both the soft start/ramp-up will be detailed in the final Piling MMMP, which is to be submitted to approved in writing by the MMO as secured in Condition 11(1)(l) of the draft dMLs (Schedules 11 and 12 of the <b>draft DCO [REP4-004]</b> (updated at Deadline 5).	Ongoing point of discussion		

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
		the environmental conditions at the Rampion 2 site, such as the strength of the currents.	Please Refer to The Applicant's response C33 in <a href="#">Applicants Response to the ExAs Written Questions – Marine Mammals (Document reference 8.81)</a>			
NE56	Marine Mammals – Offshore in Principle Monitoring Plan	Natural England have concerns that there is no consideration of monitoring the effectiveness of the mitigation measures in reducing the impacts to acceptable levels.	The Applicant submitted an updated <a href="#">Offshore In Principle Monitoring Plan [REP4-056]</a> in which they have updated the noise monitoring commitment to monitor four of the first 12 piled foundations installed.  Additionally, the Applicant has committed to using Double Big Bubble Curtains (DBBC) for all piled foundations installations. In the <a href="#">Offshore In Principle Monitoring Plan [REP4-056]</a> the Applicant has committed to collecting data to validate the performance of the DBBC and the efficacy of it as a form of NAS.	Ongoing point of discussion		See point NE32 for comments on noise mitigation techniques efficiency in the Fish and Shellfish Table.
NE57	Marine Mammals - Mitigation	Natural England request that embedded environmental measures outlined by the Applicant (in Table 11-14 in the ES Chapter 11 Marine Mammals) should be secured in the DCO/dML	The Applicant has clarified where the embedded environmental measures have been secured in the <a href="#">draft DCO [REP4-004]</a> (updated at Deadline 5) and the wording in the dML has been updated in accordance with the suggestions made by NE and submitted at Deadline 5.  Please Refer to The Applicant's response C41 in <a href="#">Applicants Response to the ExAs Written Questions – Marine Mammals (Document reference 8.81)</a>	Agreed	02/07/2024	

**Table 3-11 Status of discussions related to Offshore and Intertidal Ornithology**

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
NE58	Ornithology	Agreement of study area and data gathered for the baseline is considered acceptable for assessment.	The Applicant welcomes Natural England's agreement that the study area and data sources gathered for assessment within DCO application documents are the most suitable	Agreed	18/09/2020	
NE59	Ornithology	Agreement of assessment methodology.	The Applicant welcomes Natural England's agreement of the assessment methodology.	Agreed	26/03/2021	
NE60	Ornithology - Great Black-Backed Gull	Natural England advise that there will be a significant impact on Great Black-Backed Gull at the biogeographic scale of UK Western Waters and the English Channel.	As requested, the Applicant will consider further options to mitigate impacts with respect to Great Black-Backed Gull and where required, engage further on potential options with Natural England.	Not agreed – Material impact		NE will respond to our updated collision risk modelling at D3.  Natural England responded to the Applicant's updated

Reference number	Point of discussion	Natural England's position	Applicant's position	Current status	Date of agreement	Record of Progress
		<p>Natural England agree that that raising the air gap of the Proposed Development to mitigate is not an available option because of the increased seascape impacts that would result from this change.</p>	<p>The Applicant maintains that a significant effect at EIA level, is not predicted to occur.</p>	<p style="background-color: red; color: white; text-align: center;">Not agreed – Material impact</p>		<p>collision risk modelling in <b>[REP3-080]</b>. Natural England welcomed further consideration of potential mitigation though the use of roosting deterrents, though Natural England have concerns about the uncertainties regarding the effectiveness of gull deterrent measures. Natural England queried whether the Applicant is aware of any evidence from other existing projects that might aid in informing potential deterrent measures, so as to identify measures that are likely to be effective.</p> <p>The Applicant is considering if further information can be provided to address the concerns raised by Natural England.</p> <p>Moved from yellow to red</p>
<b>NE61</b>	Ornithology - Great Black-Backed Gull	<p>Natural England advise that due to the predicted significant impact on Great Black-Backed Gull, that additional monitoring for the species should be added to the In- Principal Monitoring Plan.</p>	<p>The Applicant maintains that a significant effect at EIA level, is not predicted to occur.</p>			

## 4. References

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Rampion 2 DCO Project Glossary:

[1.7 Rampion 2 Application Document Tracker \(planninginspectorate.gov.uk\)](#)

Rampion 2 DCO Examination Document Library:

[EN010117-000419-Rampion 2 Exam Library.pdf \(planninginspectorate.gov.uk\)](#)

