

Examination Deadline 5

For EN010117 – Rampion 2 Wind Farm

**Comment on the ExA’s Further Written Questions and requests for information
issued Tuesday, 18th June 2024: 001605**

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***Comment on the ExA’s Further Written Questions (page 18, question SLV-2.1) about
Seascape, Landscape and visual effects directed to the South Downs National Park
Authority and on directly related matters.***

Comment:

While the ExA’s questions under SLV-2.1 mainly relate to onshore infrastructure effects, the documentation cited by the ExA also includes consideration of the likely effects on the special qualities of the SDNP due to very large turbines (up to 90 turbines, up to 325m tall) in close proximity, which would transform and degrade the natural seascape / landscape connection and character of the area.

Offshore, inshore and onshore effects are interrelated and cumulative in terms of adverse impacts on various intrinsic values of coastal life and highly sensitive visual receptors.

We thus express concerns about the absence of any direct ExA Questions on the Applicant’s failure to provide visual buffers for this number and scale of turbines proposed for inshore waters of the South Coast, given that visual buffers are advised to avoid and mitigate the adverse impacts on the special qualities of designated landscapes and coastal / inland communities forced” to be host communities.

That failure specifically raises a number of important and relevant policy / planning / legal questions with reference to National Policy Statements (NPS) that the ExA refers to in Annex B of the Rule 6 Letter (i.e., NPS Policy EN1 Overarching, Section 1.1.2).ⁱ

The procedural context for an issue-based Examination is also highly important in respect to the acknowledgement and weight given to what stakeholders see as critical issues.

The introductory text to the ExA's Supplemental Questions states that the issues-based framework (Initial Assessment of Principal Issues) provided in December 2023 to frame this Examination is updated with the supplemental questions for this Deadline 5.

It states, "Questions have been added to the framework of issues set out there (in the Dec 2023 Rule 6 Letter) as they have arisen from representations and to address the assessment of the application against relevant policies". (Our underlining)

The elephant in the room for this Examination, in our view, is the extent to which the Rampion 2 Application is in breach of the European Landscape Convention (ELC), and is "off the scale" so to speak, as interpreted by the UK's relevant Offshore Energy SEA programme and body of closely aligned UK national policy and law. ^{ii, iii}

It is perplexing to many stakeholders participating in good faith in this Examination why this issue and its policy / planning / legal context is not clearly flagged by the ExA as a Principal Issue and discussed transparently in the Open and Issue Specific Hearings.

Here we observe that many Relevant and Written Representations clearly state that case-specific seascape / landscape visual impacts of this proposed industrial-scale transformation of the south coast inshore, in such close proximity to highly sensitive visual receptors, are indeed significant and material concerns to be examined. ^{iv}

Our understanding is that the visual buffers advised by the OESEA programme, especially relevant in the Rampion 2 case, are required to ensure UK treaty obligations are met under the European Convention on Landscapes. Otherwise, visual buffers are a common sense safeguard to avoid inappropriate commercial development.

Endnotes:

ⁱ The ExA Rule 6 Letter Annex B states, "*The PA2008 makes it clear that, in making a decision, the relevant Secretary of State must decide the application in accordance with any relevant NPS (s104(3)), subject to certain provisos. Essentially, the provisos are that the application must not breach legal or treaty obligations, and that any adverse impact of the Proposed Development would not outweigh its benefits.*" (Our underlining)

ⁱⁱ The UK's Offshore Energy SEA programme (updated as OESEA-4, 2022) explicitly states that the UK's objective and indicators for seascape / landscape protection are, "To accord with, and contribute to the delivery of the aims and articles of the European Landscape Convention and minimise significant adverse impact on seascape/landscape including designated and non-designated areas.", BEIS, 2022, page 66, <https://www.gov.uk/government/consultations/uk-offshore-energy-strategic-environmental-assessment-4-oseea4> .

ⁱⁱⁱ To that end, the OESEA programme undertook a comprehensive review of UK and international experience with the visual impacts of offshore wind turbines in 2020. It offered an update of its strategic environmental advice on visual buffers for windfarm Applications where very large turbines were proposed, such as in the Rampion 2 case to accord with ELC treaty obligations of the UK. Wind turbines of the scale and height proposed for Rampion 2 should be more than 25 miles (40 km) from designated landscapes and sensitive visual receptors.

See "Review and Update of Seascape and Visual Buffer study for Offshore Wind farms for the UK", Department for Business, Energy and Industrial Strategy (BEIS), Offshore Energy SEA programme. 2020 https://assets.publishing.service.gov.uk/media/5ef9a3abd3bf7f769a4e7742/White_Consultants_2020_Seascape_and_visual_buffer_study_for_offshore_wind_farms.pdf

^{iv} Failure to provide visual buffers in the Rampion 2 case will clearly have significantly adverse impacts on highly sensitive visual receptors (host communities if consented) and the special qualities of protected designated landscapes on the South Coast. In terms of balancing benefits and risks, consenting Rampion 2 would comprehensively undermine the achievement of sustainable development on the south coast. Moreover, it would compromise beneficial enjoyment of natural landscape / seascapes for current and future generations of residents and visitors. Due to high social, ecological and economic opportunity costs, Rampion 2 would constitute a significant national disbenefit for all UK citizens.