

01 August 2024

Dear Mr Allen,

Rampion 2 Offshore Windfarm – EN010117

Interested Party Reference – 20045298

South Downs National Park Authority's Closing Statement

1. Summary

- 1.1. The South Downs National Park Authority (SDNPA) continues to have significant concerns about the principle of developing in the South Downs National Park (SDNP) and the adverse effects on the Purposes and Special Qualities.
- 1.2. The applicant has accepted that a substantial compensation package should be provided, which will enable the SDNPA to deliver projects capable of conserving, enhancing and furthering the National Park Purposes. This has helped to address the residual adverse effects identified within the applicant's assessment and offset the wider harm the SDNPA has identified in our written submissions. This compensation package, to be secured by S106 Agreement (details of which are to be submitted by the applicant at Deadline 6), has helped to ameliorate some of the principal areas of disagreement raised in our Principal Areas of Disagreement Summary Statement [**AS-006**] and is reflected in our final Statement of Common Ground to be submitted at Deadline 6.
- 1.3. Further details of the SDNPA's position on the areas of concern are detailed below. Within these, we have included our expectation or comments on the updated documents submitted by the applicant at Deadline 5.

2. Principle of Major Development

- 2.1. SDNPA continues to recognise that there is a critical need for renewable energy developments, which will help the country achieve its net zero targets. We remain unconvinced that in order to meet this need, it would not be possible to avoid developing in the National Park. The divorcing of site selection of the offshore element from the routing of the onshore infrastructure has been a fundamental issue throughout. Furthermore, the final route selection for the cable corridor through the National Park still fails to demonstrate it would be the most effective at moderating the detrimental effects on environment, landscape and recreational opportunities.

- 2.2. There has been positive progress in the discussion and commitment to bespoke mitigation measures that take account of the National Park Special Qualities. These have been captured in the latest iterations of the control documents including the Outline Landscape and Ecological Management Plan (OLEMP) and Outline Code of Construction Practice (OCoCP). Agreement has also been reached in respect of a Compensation Fund, to be secured by S106 Agreement, a final draft version of which is to be submitted at Deadline 6.
- 2.3. This Fund will ensure that projects, providing compensation for the significant harm caused to the National Park by the proposed development, can be delivered and will also be capable of furthering National Park Purposes. Therefore, the SDNPA consider that whilst the cost and scope of delivering outside of the protected landscape has not been adequately demonstrated, the project can now demonstrate some detrimental effects to environment can be moderated.
- 2.4. A new Requirement has also been proposed by the applicant, the wording of which has been agreed with SDNPA. This will secure the S106 Agreement in line with an 'Enhancement and Furtherance Scheme Principles' document (also submitted at Deadline 6), which must be completed prior to commencement of the development.

3. Seascape, Landscape and Visual Impact (offshore)

- 3.1. The SDNPA continue to disagree with the level of concluded residual effects on the National Park as a result of the proposed offshore array. The effects are considered to have been underestimated and that a much greater magnitude of change will be felt across the National Park than the applicant has suggested.
- 3.2. There is also disagreement on the conclusion of the Rampion 1 development as part of the baseline. We consider that (as set out in our response to ExA Question SLVI.4) there is clear guidance in GLVIA that an assessment should have been carried out to properly assess the cumulative effects of Rampion 1 and Rampion 2 as well as the effects of Rampion 2 following the decommissioning of the existing array.
- 3.3. We are disappointed that further controls for the design and layout of the proposed array, to take account of the impact on seascape and the relationship with the existing Rampion 1 array, have not been introduced. This would have gone some way to reduce the significant concern SDNPA has on Seascape impact.
- 3.4. Despite these concerns, we do welcome the previously mentioned Compensation fund, which will enable projects to come forward to help offset the adverse impact on the setting of the National Park.

4. Landscape and Visual Impact (onshore)

- 4.1. Ongoing discussions and negotiations between the applicant and SDNPA have led to some of the SDNPA's concerns regarding viewpoint locations and assessment being resolved. We remain of the opinion that some impacts have been underestimated and that the perceptual qualities of the landscape have been misunderstood or the effects downplayed. However, the mitigation proposed,

which includes additions to the OLEMP ensuring a smoother transition through the OFTO process and the agreed Compensation Fund, demonstrates an appropriate mechanism for limiting the extent of the harm resulting from the construction and post-construction period.

5. Terrestrial Ecology

- 5.1. The SDNPA remain unconvinced by the conclusions of Chapter 22 of the Environmental Statement (Terrestrial Ecology) [**REP5-036**], due to insufficient baseline data. This is particularly the case for bats, including rarer species, which SDNPA know to be in the DCO area. The sparse data collected by the applicant suggests that important roosts may be in close proximity to the cable route, and those roosts may rely on the landscape features to be severed by the proposal. Despite this, there has been no attempt to characterise or investigate these roosts, or their supporting habitat. It is therefore not possible to fully understand the effect of the habitat fragmentation on the local bat assemblage.
- 5.2. We are also disappointed that an outline Biodiversity Management Plan (BMP) has not been provided. Whilst it is acknowledged that stage-specific BMPs will be provided as part of the stage-specific Codes of Construction Practice (CoCP), an outline BMP would provide an opportunity to identify any strategic constraints and opportunities as well as pinpointing areas that have not yet been surveyed.
- 5.3. The late submission of much of the information relating to biodiversity net gain (BNG) has hindered our ability to be more proactive on specific mitigation opportunities. The continued lack of provision of 'Condition Assessments' is also frustrating, particularly when commitment C-294 will require the following of the statutory BNG Metric (for which the Condition surveys are a component part). Any assessment should also include rivers and streams, for which no detail has yet been provided.
- 5.4. There have been improvements to the Outline Landscape and Ecological Management Plan (OLEMP) and Outline CoCP [Document Ref's **REP5-072** and **REP5-064**], which are welcomed. These include:
 - Measures to increase climate resilience;
 - Mitigation principles for tree planting;
 - Compliance with our emerging preferred schedule for the earlier stages of BNG delivery.

More detail will be required for the stage-specific documents.

- 5.5. Whilst we remain of the opinion that there will be a significant adverse impact on terrestrial ecology within the National Park as a result of the development, the compensation package agreed with the applicant will enable the SDNPA to offset some of this harm through delivery of nature recovery projects.

6. Traffic and Transport – including Public Rights of Way

- 6.1. Whilst of limited or moderate impact, the effects of traffic and transport on the National Park do not conserve or enhance its purposes and the assessment of this

impact has not been adequately undertaken by the applicant. There has been a reduction in the number of construction and operational accesses proposed which is welcomed, but the impact of those remaining is notable. This is particularly the case along Long Furlong (A280) and Washington Road (A283).

- 6.2. Further measures could have been taken to reduce the effects of traffic and transport, as this is a component part of the wider issue regarding the principle of developing in the National Park in the first place. It is noted however that there will be opportunities at the stage-specific level, to address some of these effects. This is made possible through the Requirements in respect of the Outline CoCP. We also welcome the inclusion of Requirement 16 in the draft DCO.
- 6.3. There would be a prolonged impact on the Public Right of Way (PRoW) network and the South Downs Way National Trail (SDW). Unfortunately, we have not been able to engage with the applicant during the Examination process on the PRoW Management Plan and remain concerned that the effects have not been appropriately assessed. Whilst this is unfortunate, we acknowledge that Requirement 20 has specific criteria associated with the management of works affecting the SDW and that we will also be consulted in respect of the management of the wider PRoW network .
- 6.4. We also acknowledged that the agreed Compensation Fund will provide further opportunities to improve accessibility and users experience within the wider PRoW network. This will compensate for the residual effects on the SDW and PRoW. SDNPA therefore consider that this topic-specific matter has been resolved.

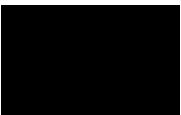
7. Historic Environment

- 7.1. The effect on the historic environment, particularly archaeology remains a significant concern. Construction access routes (such as A-28 which runs adjacent to Muntham Court Scheduled Monument) and the cable corridor itself between Harrow and Blackpatch Hills remain highly likely to have a significant adverse effect on below-ground heritage, which could be of high national significance. The outline Written Scheme of Investigation has evolved through the examination and is a thorough and robust document, which the SDNPA welcome. However, the provision of such a document does not overcome the fundamental matter that based on the high probability of high-significance archaeology in the area, further intrusive field investigations should have been undertaken to ensure the cable route could be achieved within the limits.
- 7.2. The updated wording of both Commitment C-225 and Requirement 19 provide some comfort that should such a find be confirmed, every effort would be made to ensure the archaeology would be preserved in situ. The Compensation Fund also provides for projects in respect to the understanding of cultural heritage of the National Park. Whilst this does not offset the potential direct harm, it does enable the SDNPA to conserve and enhance cultural heritage in line with our Purposes.

8. Conclusion

- 8.1. Whilst SDNPA remain significantly concerned about the effects of the proposed development on the National Park's Purposes and Special Qualities, we consider that the mitigation and compensation package has advanced sufficiently to enable some of this harm to be offset and will deliver projects capable of conserving and enhancing the National Park.

Yours sincerely,



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