



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Rampion Two Offshore Wind Farm

Appendix J6 to the Natural England Deadline 6 Submission
Natural England's advice on Terrestrial Ecology

For:

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

Planning Inspectorate Reference EN010117

1 August 2024

Appendix J6 Natural England's Advice on Terrestrial Ecology

1. Summary

Natural England has reviewed the relevant documents submitted by the Applicant at Deadline 6. Our advice is summarised below with detailed comments provided in Tables 1-4. It should be noted that these comments relate to terrestrial ecology only and any comments pertaining to the landscape aspects are provided in Appendix H6. Additionally, Natural England is submitting our final Risk and Issues Log at this deadline.

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

- [REP5-003] - 2.6 Tree Preservation Order and Hedgerow Plan Rev D
- [REP5-024] - 5.8 Design and Access Statement Rev C (tracked)
- [REP5-037] - 6.2.22 Environmental Statement Volume 2 - Chapter 22 Terrestrial ecology and nature conservation Rev C (tracked)
- [REP5-065] - 7.2 Outline Code of Construction Practice Rev E (tracked)
- [REP5-067] - 7.4 Outline Soil Management Plan Rev C tracked
- [REP5-073] - 7.10 Outline Landscape and Ecology Management Plan Rev D (tracked)
- [REP5-089] - 7.23 Outline Construction Method Statement Rev B (tracked).pdf
- [REP5-112] - 8.60 Outline Noise and Vibration Management Plan Rev B (tracked)
- [REP5-040] - 6.2.32 Environmental Statement Volume 2 - Chapter 32 ES Addendum Rev B (tracked)
- [REP5-063] - 7.1 Outline Operational Drainage Plan Rev D (tracked)
- [REP5-057] - 6.4.22.15 Appendix 22.15 Biodiversity net gain information Rev B (Tracked)
- [REP5-125] - 8.87 Outline Vegetation Retention and Removal Plan (Rev A)
- EN010117-001607-RAM2 Change Notification to ExA
- EN010117-001612-Rampion 2 Change Notification R17
- [REP5-087] - 7.22 Commitments Register Rev E (tracked)

Natural England have not provided comments on the following documents, as the information within them falls outside of our core remit:

- [REP5-069] - 7.6 Outline Construction Traffic Management Plan Rev F (tracked)
- [REP5-061] - 6.4.23.2 Appendix 23.2 Environmental Statement Volume 4 - Traffic Generation Technical Note Rev D (tracked)
- [REP5-114] - 8.62 Outline Air Quality Management Plan Rev B (tracked)

2. Main Comments

Natural England's position remains unchanged at Deadline 6 regarding major risk identified with the feasibility of the proposed trenchless drilling technique without detailed ground investigation at ecologically sensitive sites in the South Downs National Park (SDNP), in particular Michelgrove Park, Sullington Hill and also Climping Beach.

Natural England notes that detailed ground investigation and feasibility assessments have not been provided by the Applicant into examination. Please see D5 [REP5 -141] for a summary of our position on HDD.

Natural England draws the ExA's attention to our Deadline 5 [REP5-140] response where we have highlighted that should it be demonstrated that trenchless techniques are not feasible then an alternative route will be required due to the irreplaceable nature of the habitats and the need to avoid impacts. We believe this is likely to require a material change to the Development Consent Order/deemed Marine Licence (DCO/dML) as written.

Horizontal Directional Drilling (HDD) at Climping Beach

With regard to trenchless crossings at land fall at Climping Beach, Natural England have advised [REP5-141] that micro-sighting of the cables could result in avoiding potential direct impacts to Climping Beach SSSI. This would be in keeping with the mitigation hierarchy of avoiding impacts in the first instance, before turning to mitigation measures (such as trenchless crossings as the proposed embedded mitigation measure).

Final advice on updated documents are provided below. Natural England advises that the 'commitments' are made a condition of the DCO and where appropriate further conditions are added to manage down environmental risks.

[REP5-087] 7.22 Category 7: Other Documents Commitments Register (tracked changes version) Revision E

We advise an addition to the commitment to clarify that reinstatement will be undertaken as soon as is possible within the construction programme, with an emphasis on reinstating difficult to establish and ecologically sensitive habitats for example chalk grassland within six months where practicable.

3. Detailed Comments

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

Document Reviewed - [APP-] Volume 4, Appendix 22.15 Biodiversity Net Gain information (Revision C) - Tracked Changes Version					
Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
1	2	7	2.1.3	The Applicant is seeking to front load the delivery of Biodiversity Net Gain (BNG) to ensure positive environmental enhancements are being delivered in tandem with losses occurring during the construction phase.	Resolved if included as a requirement of the DCO.
2	4	43	4.1.7	It is notable that the majority of habitats being temporarily lost to development will not be reinstated at the locations they are lost for up to two years. Additionally, reinstatement may not be completed until 3.5-4 years on temporary construction compounds, cable joint bays, some haul roads, some construction access roads and the landfall, as stated in Commitment C-103. Within the metric advanced creation of habitats and delay in creating habitats following loss can be accounted for. It should be noted that final calculations based on the detailed design will underpin the final delivery of the BNG commitment and account for all advances and delays shown in the detailed delivery timetable (see Section 5). For clarity, no temporary loss of low distinctiveness habitat is assumed to be	To be resolved pre-construction. Natural England recognises that the Applicant has provided more clarity around reinstatement timeframes, however assumptions cannot be made until the detailed design phase.

Document Reviewed - [APP-] Volume 4, Appendix 22.15 Biodiversity Net Gain information (Revision C) - Tracked Changes Version					
Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
				'retained' on an assumption that it can be restored to its current condition within two years. All habitat within the working area subject to ground works has been assumed to be lost	

Table 2 Summary of Key Issues Document Reviewed - [REP5-089] 7.23 Outline Construction Method Statement Rev B (tracked)

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
3	3.4	17	3.4.10	It is stated that 'The landfall cable construction and installation under the intertidal areas via trenchless methods will be designed and constructed to a target depth of at least 5m below surface / seabed level other than in the entry / exit pit areas of the trenchless crossing. The entry / exit pit area includes the graduation from 5m depth up to the surface area. The trenchless crossing design and construction will be guided by site investigation data and other studies including a 'Coastal	Unresolved issue - Natural England refers the ExA to our response to wording of commitment C-247 (question Q2c-3), provided in Appendix N5 of Natural England's Deadline 5 Submission [REP5-141]. This matter could be resolved if commitment C-247 is amended (or new commitment added and linked to an appropriate DCO requirement) to specify that the cable landing will be

				Erosion and Future Beach Profile Estimation Assessment' to minimise any risk to cables from coastal erosion. The relevant stage specific construction method statement will be approved by the relevant planning authority following consultation with the statutory nature conservation body and Marine Management Organisation.'	actively micro-sited to avoid passing through Climping Beach SSSI, in the event that open cut trenching through Climping Beach SSSI is required (should HDD not be feasible).
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Table 3 Summary of Key Issues Document Reviewed – [REP5-065] - 7.2 Outline Code of Construction Practice Rev E (tracked)

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
4	4	38-39	Table 4-8	Natural England have previously advised that wording for commitments C-7 and C-27 should be updated and should seek to accurately define the expectation for reinstatement.	Resolved. Natural England welcomes the alteration to C-7 and C-27, and now note that following construction, the construction compounds will be reinstated to the original Agricultural Land Classification (ALC) grade.
5	5.6	60	5.6.10	Natural England note that 'HDD works will be programmed to take place outside the period between October and March inclusive (C-217) to avoid disturbance of sanderling during the winter. This measure also minimises disturbance to other waterbirds using the foreshore, inshore waters and fields north of the sea wall.'	Resolved. Natural England welcome the modification to commitment C-217, to include the month of March within the bird overwintering season (now stated as October to March inclusive).

Table 4 Summary of Key Issues Document Reviewed – [REP5-067] - 7.4 Outline Soil Management Plan Rev C tracked

Point number	Location within Submitted Document			Natural England Response	
	Section	Page	Paragraph, Table or Figure Number	Key Concern	Natural England's Advice to resolve the issue
6	5 & 7	16 & 25	2.2 & 1.3	<p>Natural England have previously advised (Deadline 4 submission – Appendix J4c [REP4-095]) that ‘Soil examination tests undertaken in the field to differentiate between varying soil moisture states will require the presence of a suitably qualified and experienced soil scientist. When dealing with best and most versatile (BMV) soils the Applicant should ensure the soil scientist used has enough experience to make the correct judgements when handling highly sensitive soils.’</p> <p>We note that the amended document states that ‘suitability of soils for handling will be carried out by construction staff who have received training from a qualified soil scientist in how to undertake the field tests’</p>	<p>Unresolved – this matter could be resolved if a new commitment be incorporated into the commitments register (and linked to an appropriate DCO requirement), to secure that an experienced and qualified soil scientist will be present when dealing with BMV soil, to assess the suitability of soil handling of BMV soils throughout the construction phase. Further details are entailed below.</p> <p>Natural England have previously advised that qualified and experienced soil scientist should be used when assessing the suitability of soils handling for BMV soils. We welcome the amended details which discuss that construction staff will receive soil handling training from a qualified soil scientist. However, it is still not clear if qualified soil scientists will be present when dealing with BMV soils.</p>

					Poor soil handling practices may result in ALC degradation and long term or permanent loss of BMV along the cable route corridor. We therefore re-emphasise that suitability of soil handling testing for BMV soils should be conducted by an experienced and qualified soil scientist.
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