



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES
2010

Rampion Two Offshore Wind Farm

Appendix N6 to Natural England Deadline 6 Submission

Natural England's Response to the outstanding questions from The Examining Authority's request for further information from Natural England arising out of Issue Specific Hearing 2 [PD-011], The Examining Authority's Further Written Questions and requests for information [PD-012] and The Examining Authority's Rule 17 Letter Requesting Additional Information from the Applicant – Annex B [PD-017]

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

01 August 2024

Appendix N6 – Natural England’s Response to the outstanding questions from The Examining Authority’s request for further information from Natural England arising out of Issue Specific Hearing 2 [PD-011], The Examining Authority’s Further Written Questions and requests for information [PD-012] and The Examining Authority’s Rule 17 Letter Requesting Additional Information from the Applicant – Annex B [PD-017]

Examining Authority’s Rule 17 Letter Requesting Additional Information from the Applicant – Annex B [PD-017]			
QUESTIONS			NE Response
BP 3.1	<p><i>Outline Cable Burial Risk Assessment and an Outline Cable Specification and Installation Plan</i></p> <p>Natural England Marine Management Organisation</p>	<p>At Deadline 5 the Applicant submitted an Outline Cable Burial Risk Assessment [REP5-123] and an Outline Cable Specification and Installation Plan [REP5-126]. Provide comments on these documents and confirm which previous concerns expressed have been addressed by the submission of these documents.</p>	<p>Natural England have provided detailed comments on these documents in Appendix DF 6 and updated our Risks and Issues Log. We advise that the information contained within these plans is not sufficient to address all of our concerns.</p>
CR 3.1	<p><i>Commitments Register</i></p> <p>All Relevant Interested Parties</p>	<p>The Applicant considers [REP5-121] that the updated Commitments Register submitted at Deadline 5 [REP5-086] now address all remaining concerns. Briefly confirm this, without rehearsing previous comments.</p>	<p>Natural England advise that we do have remaining concerns, given that we have outstanding issues regarding the mitigation measures proposed across a number of topics. Please see our final Risk & Issues log for summary information.</p>
FS 3.1	<p><i>Worst Case Scenario – Piling Noise for Fish and Shellfish</i></p> <p>The Applicant Natural England</p>	<p>The ExA notes that Natural England has remaining concerns/questions with regards to the modelling of underwater noise and the worst-case scenarios for different situations [REP5-139,Page 2]. It states:</p>	<p>Natural England provided detailed comments on our position regarding fish and shellfish at Deadline 5. Where appropriate we have updated this position based on further information provided at Deadline 5 and provided directly by the Applicant on the 26/07/2024. Natural England have provided</p>

		<p><i>“We advise that a clear explanation of whether sequential or simultaneous piling has been modelled as the worst case in each situation still needs to be provided and each figure needs to be clearly labelled with which scenario it is demonstrating. Additionally, as raised in our Relevant Representations (Appendix E, Point 27), where piling is conducted simultaneously at two locations we question what the closest distance between locations is likely to be, and how this is considered in terms of impacts on the MCZ’s.”</i></p> <p>The ExA also acknowledge that the Applicant has responded on these matters raised by NE, such as the response to Point E27 at Deadline 1 [REP1-017], for example</p> <p>The ExA requests the Applicant and Natural England resolve these issues before the close of the Examination. If the parties are unable to resolve these matters, provide a joint Position Statement and the options available to the Secretary of State.</p>	<p>updated advice in Appendix E6 of this submission on this point.</p> <p>Natural England has not seen a position statement from the Applicant.</p>
HRA 3.1	<p><i>Outline Guillemot and Razorbill Implementation and Monitoring Plan</i></p> <p>Natural England</p>	<p>Confirm whether the Outline Guillemot and Razorbill Implementation and Monitoring Plan submitted by the Applicant at Deadline 5 [REP5-117] adequately secures the likely feasible delivery mechanisms for and quanta of compensation from the evidence presented in the Outline Guillemot and</p>	<p>Natural England refer you to our detailed comments in Appendix B6 and our final Risks and Issues Log.</p>

		Razorbill roadmap submitted by the Applicant at Deadline 3 [REP3-060], upon which Natural England provided comments at D4 [REP4-091] to confirm they are broadly supportive.	
Outstanding questions from The Examining Authority's request for further information from Natural England arising out of Issue Specific Hearing 2 [PD-011]			
Q3a-1	<i>Outstanding Concerns Regarding the Worst- case Scenario for Piling and Securing the Maximum Design Scenario for Piling in the draft DCO / draft DML.</i> Natural England	Comment, if required, on whether the replies given by the Applicant gave to questioning on these matters at the ISH2 allays concerns on these matters.	As set out in point 7 of Appendix A6, we advise that the maximum hammer energy assessed should be included as a condition to ensure the noise impacts do not exceed those predicted within the assessment, as per other OWF such as East Anglia One North and East Anglia Two. For the same reason we advise that other key parameters of the maximum piling scenario assessed in the ES, such as the maximum number of piles/simultaneous locations for piling within 24hrs, should also be conditioned.
The Examining Authority's Further Written Questions and requests for information [PD-012]			
HRA 2.2	Updated Schedule 17 Natural England	Comment on the Applicant's updated Schedule 17 submitted at Deadline 4 [REP4-016], stating any areas of disagreement.	Natural England refers the ExA to our Deadline 6 response (Appendix A6) on the updated draft Schedule 17 and our outstanding comments raised in our Deadline 1 response (Appendix A1).
DCO 2.4	Remaining Comments All Relevant Planning Authorities Natural England	Aside from the matters discussed above, the changes set out in the ExA's Schedule of Changes to the Draft DCO and matters concerning Articles 11(7), 12(3), 15(5), 17(9) and 19(7) in respect to the 28-day provision	Natural England refers the ExA to the comments we have raised in Appendix A6 and to our Risks and Issues log, where outstanding concerns and issues with regard to the draft DCO are provided.

	Marine Management Organisation	<p>and deemed consent, provide, if necessary, a summary of any remaining concerns with the draft DCO and draft DML and any suggested drafting changes.</p> <p>[N.B – although primarily addressed to the Applicant, all relevant parties may respond to the ExA’s Scheduled of Changes to the draft DCO should they feel it necessary to do so.]</p>	
FS 2.10	<p>Maximum Hammer Energy</p> <p>Natural England</p>	<p>Natural England’s Risk and Issues Log at Deadline 4 [REP4-096] continues to state that the maximum hammer energy is not stated in the draft DCO [REP4-006].</p> <p>The Applicant stated in [REP4-074] that it has updated the Draft Development Consent Order [REP3-003] at Deadline 4 to confirm that the maximum hammer energy for piling will be required to be specified as part of the construction method statement to be submitted for approval pursuant to condition 11(1)(c) of Schedules 11 and 12. The construction method statement must be in accordance with the construction methods assessed in the environmental statement and therefore the hammer energies must not exceed that assessed. A construction programme must also be submitted for approval pursuant to condition 11(1)(b).</p> <p>Comment on whether this allays concerns on this matter.</p>	<p>Our concerns remain. We advise that the ExA refer to point 7 of Appendix A6 and our answer to Q3a-1 above.</p>