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**Your Ref:** Planning Inspectorate reference  
EN010117

**Date:** 20 February 2025

**Our Ref:** 005717488-01

**Subject:** **Rampion 2 Offshore Wind Farm – Application for Development Consent Order  
Planning Inspectorate reference EN010117**

By email only, to: rampion2@planninginspectorate.gov.uk

Dear Sir,

This submission is made in response to the letter issued by the Secretary of State on 6 February 2025 requesting additional information in relation to piling restrictions proposed for the development of the Rampion 2 Offshore Wind Farm (“the Proposed Development”).

The Secretary of State’s letter requested that the Applicant provide evidence to support its position that there are no other means of proceeding with the Proposed Development, other than as described in the evidence it had provided to the Examination, which would create a substantially lower risk of hindering the achievement of the Kingmere MCZ objectives.

#### Piling in the Black Seabream Breeding Season

The Applicant’s closing statement [**REP6-233**] included, at paragraph 5.8.13, confirmation that preliminary construction modelling had indicated that a piling ban across the whole of the offshore array area for the black seabream breeding season March to July (inclusive), would be extremely challenging in terms of maintaining the projected build out programme for the project. Further modelling work has now been undertaken and details are set out in the attached report Rampion2 Piling Restrictions.

As is evident from the modelling, the imposition of a full ban for the full extent of the black seabream breeding season (which was extended from April-June, to March-July in 2021), shown as Scenario 3 in the attached, would result in an extension of the build programme by nearly 1 year, to a 3 year installation period, as compared to the Applicant’s End of Examination Position scenario. This would result in a significant delay in the delivery of low carbon electricity generation onto the UK National Grid. An extended build programme would also result in impacts on the offshore environment beyond the indicative construction programme period considered as part of the environmental impact assessment as reported in the Environmental Statement.

As has been set out in the Applicant's Without Prejudice Stage 2 MCZ Assessment [REP6-261], the Proposed Development has six key objectives being

- To generate low carbon electricity from an OWF in support of the decarbonisation of the UK electricity supply;
- To export electricity to the UK National Grid to support UK commitments for offshore wind generation and security of supply;
- To optimise generation and export capacity within the constraints of available (UK) sites and onshore transmission infrastructure;
- To help deliver Government target for five-fold increase in offshore wind by 2030;
- To maximise renewable energy generation at optimal UK seabed locations; and
- To maximise the use of existing infrastructure.

These objectives align clearly with Government Policy as set out at the time of the Examination, and continue to align with the need to tackle the major challenges identified in the current Clean Power 2030 Action Plan, notably the need to prioritise 2030 critical projects. There is also a clear need for the Proposed Development to achieve Government objectives, as set out in detail in the Applicant's Without Prejudice Stage 2 MCZ Assessment.

The Applicant's position remains that there is no risk that the grant of consent for the Proposed Development, subject to the piling restrictions as set out in the In Principle Sensitive Features Mitigation Plan (secured through the deemed marine licences within the draft DCO [REP6-007]), will hinder the conservation of the Kingmere MCZ. However, to the extent that the Secretary of State is not so satisfied, and without prejudice to its primary position in respect of the need for any additional restrictions on piling as set out above, the Applicant's further modelling has indicated that it would be possible for it to commit to the extension of a piling ban in the whole of the more sensitive western array area only, for the black seabream breeding season of March to July, together with a piling ban in the eastern offshore array area, in closest proximity to herring spawning grounds, only for November to January (in respect of which see below) and still achieve its project objectives. This would represent an alternative means of proceeding with the Proposed Development with a lower risk of hindering the achievement of the conservation objectives of the MCZ.

To the extent that the Secretary of State considered that there remained a risk to the Kingmere MCZ conservation objectives with the extended partial ban set out above on a without prejudice basis imposed, it is the Applicant's position that the public benefit of proceeding with the Proposed Development would outweigh the risk of damage to the environment. The Applicant has also identified measures of equivalent benefit ("MEEB") on a without prejudice basis [REP6-264] that can be secured (if necessary) through the Development Consent Order in these circumstances in accordance with section 126 Marine and Coastal Access Act 2009.

An amendment to the piling restrictions would require updates to the In Principle Sensitive Features Mitigation Plan and the Commitments Register which are both to be certified documents pursuant to Schedule 16 of the Development Consent Order. Amended versions of these documents are attached on a without prejudice basis, which can be referred to in the Order should the Secretary of State be minded to impose the extended restriction.

A decision to grant consent for the Proposed Development, notwithstanding the Secretary of State considering there to be a risk of hindering the conservation objectives of a MCZ, would be consistent with previous decisions of the Secretary of State, most recently in relation to the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm Order 2024. In that decision it was accepted that section 126(7) of the Marine and Coastal Access Act 2009 was engaged but that there were no other means of proceeding with the proposed development which would create a substantially lower risk of hindering the achievement of the MCZ's conservation objectives, and that the benefit to the public of proceeding with the proposed development clearly outweighed the risk of damage to the environment that would be created by proceeding with it, with sufficient MEEB secured.

#### Piling in the Herring Spawning Season

In relation to the Applicant's position as set out in the first part of paragraph 9.4 of its closing submission [REP6-233], this pertained to the prospect of an additional restriction on piling across the whole of the array area in the months of November, December and January (in addition to the bans referred to above). This was proposed by the MMO to avoid potential impacts on herring spawning. The imposition of such a ban, in addition to that proposed in respect of the risk of hindering the conservation objectives of the Kingmere MCZ, would have resulted in only three months of the year available for foundation installation works, and as per the closing statement '*The effect of such restrictions would be to curtail the annual development window, elongating the development programme, delaying or ultimately preventing the delivery of renewable electricity supplies and raising the potential downstream cost to the consumer*'.

Subsequent to the close of the Examination, a position was agreed with the MMO, on a without prejudice basis, in respect of impact on herring as set out in the signed Statement of Common Ground provided to the Secretary of State under cover of the Applicant's Part 2 response to the Secretary of State's request for information submitted 13 December 2024. As a consequence, should the Secretary of State determine that a piling restriction should be imposed in respect of a risk to herring spawning in accordance with the without prejudice position agreed with the MMO, the risk described in the first part of paragraph 9.4 has now been resolved.

#### Conclusion

The Applicant's position therefore remains as set out above that a piling ban across the whole array offshore array area is not justified on the evidence it has presented to the Examination, and would extend the project build programme by nearly 1 year as compared to the Applicant's End of Examination Position scenario. This would prevent the project from achieving its objectives. On a without prejudice basis the Applicant is, however, able to commit to an extension to the piling restrictions in the more sensitive western part of the offshore array area during the entirety of black sea bream breeding season March to July inclusive, and to a restriction in the eastern part of the offshore array area in the months November to January inclusive (as set out in the Statement of Common Ground with the MMO) without prejudicing the project objectives. The conclusions set out in paragraph 9.4 as to the contribution the Proposed Development will make to the UK's renewable energy targets as set out in the latter part of paragraph 9.4 do, however, remain highly relevant.

Yours faithfully

Rampion Extension Development Ltd