

Date: 13 January 2025
Our ref: Case: 15576 Consultation: 498293
Your ref: EN010117



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BY EMAIL ONLY

Dear Sir/Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by Rampion Extension Development Limited ("the Applicant") for an Order granting Development Consent for the proposed Rampion 2 Offshore Wind Farm Extension Project ("the Proposed Development")

The following constitutes Natural England's formal statutory response to the Secretary of State's Request for Information (RFI) dated 16 December 2024.

Natural England has considered the information provided in response to the Secretary of State's consultation letter dated 25 November and have provided our responses in Appendix 1 and Appendix 2 below.

In providing our responses Natural England has reviewed the following documents:

- EN010117-002320- Department for Energy Security and New Zero Request for Information Letter – 16 December 2024
- EN010117-002308-C1-027 Applicant's Rampion 2 letter - Request for Information Part 1
- EN010117-002309-C1-028 Applicant's Response to the Secretary of State's Request for Additional Information – Part 1
- EN010117-002313-C1-032 7.17 In Principle Sensitive Features Mitigation Plan Rev F (tracked)
- EN010117-002315-C1-034 7.18 In Principle Offshore Monitoring Plan Revision E & F (tracked)
- EN010117-002322-C1-036 Applicant's Rampion 2 letter - Request for Information Part 2
- EN010117-002323-C1-037 Applicant's Responses to Secretary of State Request for Information - Part 2
- EN010117-002325-C1-039 6.2.11 Environmental Statement Volume 2 - Chapter 11 Marine Mammals (tracked)- Revision E & F

In line with Natural England's approach throughout the examination, we have not reviewed or provided a response relating to the information provided by other interested parties.

We note that since the Request for Information on the 16 December a separate update letter from the Applicant appears to have been published on the 23 December 2024. This letter is dated 13 November 2024. Natural England have specifically responded to the information provided relating to

the Secretary of State's request of the 25 November in this letter. However, should the Secretary of State require Natural England to review the letter published on the 23 December and any associated documentation, we would be pleased to do so, if requested. We note that the updated Appendix 11.4: Bottlenose Dolphin Population Modelling document mentioned in the letter does not appear to have been included in the documents uploaded on the 23 December 2024.

Natural England reiterates our previous request that given the number of Offshore Wind Farm Examinations currently running in tandem, it would be extremely useful where possible, to understand indicative timings in advance of any possible further information requests. This would be helpful in order to allow us to effectively manage our resource.

If you have any further queries, please do not hesitate to contact us.

Yours sincerely

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Appendix 1 – Natural England’s responses to the relevant points within the Applicant’s Responses to the Secretary of State’s Request for Information

Document reviewed: Applicant Responses to the Secretary of State’s Request for Information – Part 1		
Request Number	Request Topic	Natural England’s Response
Point 4	Post-consent adaptive management	Natural England’s advice on this point remains as submitted on the 6 December 2024. In particular we highlight that the Marine Conservation Zone (MCZ) Assessment should also be considered within the wording of this condition.
Point 5	Post-consent monitoring of underwater noise from piling	We note that the Applicant has reviewed and updated both the Offshore In-Principle Monitoring Plan (Document Reference 7.18) and the In-Principle Sensitive Features Mitigation Plan (Document Reference 7.17). Natural England has provided advice regarding these updated documents in Appendix 2 below.
Point 6	Harbour Porpoise CEA	<p>Natural England is satisfied that the number of harbour porpoise predicted to be impacted in the Cumulative Effects Assessment (CEA) is unlikely to significantly impact the population trajectory.</p> <p>We accept the principle of the Applicant’s methodology of refining the CEA by reducing the Effective Deterrent Range (EDR) for European projects using Noise Abatement Systems (NAS). However, we have not had sight of a methodology to demonstrate that each project will use a noise abatement system. This is specifically applicable to European projects in areas outside German waters (where specific noise limits are already in place). We advise that this information should be provided to evidence the approach taken is appropriate.</p>
Point 7	Piling restrictions	Natural England’s advice on this point remains as submitted on the 6 December 2024.
Point 8	Outline Cable Burial Risk Assessment (“OCBRA”) and Outline Cable Specification and Installation Plan (“OCSIP”)	Natural England notes that the Applicant has elected not to provide an updated Outline Cable Burial Risk Assessment (OCBRA) and Outline Cable Specification and Installation Plan (OCSIP). Natural England’s response at Deadline 6 (Appendix DF6) therefore remains our current position in relation to these documents. In particular, we continue to highlight that without the inclusion of site-specific geotechnical data the high level of uncertainty on the extent to which the mitigation measures proposed can be applied remains. As highlighted in our Deadline 6 response, Natural England advises that should the Secretary of State be minded to consent the project (as submitted), that there is a requirement for the DCO/dML to secure signoff and agreement by the MMO, in consultation with the relevant SNCB, of all final named plans. As we previously advised, such an approach does however transfer uncertainties to the post consent phase with no guarantee that risks and issues can be resolved.
Point 9	Securing trenchless crossings underneath Irreplaceable Habitats and SSSIs	Natural England’s response to this point remains as detailed in our submission on the 6 December 2024. Natural England highlights that if geotechnical information pertaining to the feasibility of trenchless crossing for each stage is only gathered when that particular stage is progressed, other stages may already be under construction/constructed at this point and could be at risk of becoming stranded assets. As we highlighted in

		our previous response, trenchless crossing techniques are an essential mitigation measure where the cable route will cross through protected areas (SSSI's and South Downs National Park (particularly Michelgrove Park, Sullington Hill)) and irreplaceable habitats (such as ancient woodland). If trenchless techniques are found not to be feasible in these locations, then this could mean an alternative route will be required due to the need to avoid impacts. We advise that a risk therefore exists and that if a staged approach to providing the geotechnical/feasibility information aspect of the trenchless crossings is taken, sections of the cable route may become unviable, when other sections have already been constructed. Therefore, we advise that the geotechnical information to inform the feasibility of this method as mitigation, is provided sooner rather than later. And that construction of onshore works does not commence until this matter has been resolved.
Document reviewed: Applicant Responses to the Secretary of State's Request for Information – Part 2		
Request Number	Request Topic	Natural England's Response
Point 17	Sensitivity score for cetaceans to PTS	Natural England is satisfied that the Applicant has appropriately included a high sensitivity to Permanent Threshold Shift (PTS) for cetaceans into the assessments. We highlight that given the assessments within Chapter 11 use a magnitude score that is based on the assumption that the measures outlined in the Marine Mammal Mitigation Plan (MMMP) will effectively reduce PTS to insignificant levels, it will be crucial that the final MMMP provides sufficient measures to robustly demonstrate that this is achievable.
Point 20	Herring and Sandeel Habitat Suitability Assessments ("HSA")	Natural England defers to the MMO/Cefas in relation to herring and sandeel.
Point 21	Monitoring of noise abatement effectiveness on Bottlenose Dolphin	Natural England's advice on this point remains as submitted on the 11 December 2024.

Appendix 2 - Natural England's Detail Advice on the updated documents provided

Document reviewed: 7.17 Offshore In-Principle Monitoring Plan – Revisions E and F		
NE Ref	Section	Natural England's Response to the update
1	General Comment	Natural England's comments below relate solely to the updates that have been made to the Offshore In-Principle Monitoring Plan. We have commented below where these updates have addressed issues that were outstanding. Where we have not advised below that an issue has been addressed, our concerns remain as stated in our advice through the examination, particularly our advice at Deadline 5 (Appendix E5) and Deadline 6 (Appendix E6), and within our risks and issues log.
2	Point 4.6.8, Point 4.7.3, Table 4.4 and Table 4.5	Natural England welcomes that the underwater noise monitoring will now include ' <i>8 of the first 12 foundations of each foundation type to be installed</i> ' (i.e. monopiles and multi-leg foundations), as this change is in line with our previous advice. We advise that each reference to ' <i>8 of the first 12 foundations</i> ' should include the text ' <i>of each foundation type to be installed</i> '. Currently, this is not consistently reflected throughout the document, including within the section on hypothesis 2.
3	Table 4-4 – Hypothesis 1 and 2.	We note that it is proposed that these 8 piles for each foundation type will be within differing seabed conditions and water depths, including depths of over 40m. As referenced in our Deadline 5 Appendix E5 advice, we advise that given the complex and variable environmental conditions at the site, it will be critical that a representative range of conditions (including the worst-case environmental conditions) are considered. We advise that the locations selected should be agreed with the MMO in consultation with the relevant SNCB as part of the sign off of the final offshore monitoring plan. We would welcome early discussions with the Applicant on this matter once a contractor for this work has been established.
4	4.6.8, Table 4.4	Natural England support the removal of the text regarding monitoring of 4 piles during the sensitive season for black seabream (March to July inclusive) as our advice is that in order to prevent the conservation objectives of Kingmere MCZ being hindered, piling should not be undertaken during this period.
5	Table 4.4	Natural England acknowledge that timeframes for underwater noise monitoring data reporting were updated for both hypothesis 1 and 2 in version E i.e., ' <i>noise monitoring data will be recorded and provided to the MMO within 2 weeks of each foundation being monitored being installed, and results will be included in a final report submitted to MMO within 4 weeks of completion of the fourth monitored foundation</i> '. Natural England welcomes this update as it is in line with our Deadline 5 advice. However, as a minor point we question whether the word ' fourth ' highlighted in bold within the text should have also been updated to the eighth.
6	Table 4.4, hypothesis 2	We highlight that Hypothesis 2 monitors a key piece of mitigation relating to short-snouted seahorse as an MCZ feature. Evidencing that the commitment to noise abatement systems achieving a noise reduction in the region of 15dB can be achieved is key to ensuring that the conservation objectives of Beachy Head West MCZ are not hindered due to underwater noise impacts on Short-snouted seahorses (see Natural England's advice at Deadline 5 (Appendix E5) and Deadline 6 (Appendix E6)). We advise that this

		requirement is still not explicitly clear within the Offshore In-Principle Monitoring Plan, particularly within Hypothesis 2.
7	Table 4.4, particularly hypothesis 2 and 3	Natural England's advice remains as outlined and explained throughout the examination, that the only mechanism to prevent the conservation objectives of Kingmere MCZ being hindered in relation to black seabream is a seasonal piling restriction (March to July inclusive). Therefore, we remain unsupportive of the proposals outlined to use noise monitoring as a mechanism to allow piling to be undertaken during this sensitive period. We also highlight that our advice remains that insufficient evidence exists to determine a threshold in relation to behavioural impacts on black seabream.
8	General point on securing the monitoring of underwater noise.	Natural England highlights that whilst the timeframes for noise monitoring data and reporting being provided have been updated, we remain concerned that the wording in the DCO (Point A18 of our risk and issues log and Point 5 of our 06 December 2024 response) does not cover the required during construction piling monitoring. Nor does it allow for a halt to works until additional mitigation is agreed and put in place should the noise levels from piling be significantly in excess of that predicted within the ES, MCZ Assessment, and associated plans/modelling documents, including if the NAS are not achieving a noise reduction in the region of the anticipated 15dB. Given the environmental sensitivities of the area, we therefore continue to advise that this monitoring and the stop requirement be appropriately secured with a specific condition, as it has been in previous Offshore Wind Farm DCOs/DMLs. Natural England suggests wording similar to the Dudgeon and Sheringham Extension Project DCO is used, with additional consideration for securing the key aspects of the NAS monitoring, and the specific agreed reporting timeframes in this instance.
9	Table 4.5	We advise that it should be noted that the monitoring of noise abatement systems presented in table 4.4 is also relevant to marine mammals. We advise that we expect further details of how the monitoring relates specifically to marine mammals, including bottlenose dolphin, to be incorporated and agreed as part of the final Offshore Monitoring Plan, as noted in our Deadline 6 response and Natural England's advice submitted on the 11 December 2024.
Document reviewed: 7.17 Offshore In-Principle Monitoring Plan - tracked version		
10	Table 7.1	We note that the only update in this document appears to be a change to the In-principle underwater noise monitoring – construction line to read eight of the first twelve piles rather than four of the first twelve piles. Whilst as stated above we support this change, it does not address any of our other outstanding concerns with this plan that were raised through the examination. We also note that this does not specify that this is for each foundation type used (i.e. monopiles and multi-leg foundations). We advise that this should be included.