

Volume 2, Chapter 2:

Policy and legislative context



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Figure 2.1 Administrative boundaries within the Rampion 2 area

2. Policy and legislative context

2.1 Introduction

- 2.1.1 This chapter of the Preliminary Environmental Information Report (PEIR) presents a summary of the key policy and legislative (both national and local) context relevant to the Proposed Development (Rampion 2). This includes policy and legislation relevant to the Environmental Impact Assessment (EIA) being carried out.
- 2.1.2 Where specific aspects of the policy and legislation are directly relevant to particular environmental aspect assessments these are included in the relevant chapters (**Chapters 6 to 28**) of this PEIR.
- 2.1.3 An assessment of Rampion 2 in terms of compliance with planning policies will be provided in the Planning Statement, which will accompany the Application for Development Consent.

2.2 International obligations on climate change and Renewable Energy

Overview

- 2.2.1 This section outlines the policy and legislation drivers for climate change mitigation and renewable energy deployment that are relevant to Rampion 2.
- 2.2.2 National policy and legislation, influenced by the international drivers listed in this section and in **Section 2.3**, highlight the need for renewable energy infrastructure. As a renewable energy project with a generating capacity of 1.2GW, Rampion 2 directly responds to these ambitions and will contribute to the UK's renewable energy and climate targets (BEIS, 2017). The existing Rampion wind farm contains 116 wind turbine generators (WTGs) with a generating capacity of 400MW. Rampion 2 will provide up to 116 additional WTGs, capable of powering up to a million additional homes with clean, renewable energy. This will support the UK Government's target of delivering over a third of UK electricity from offshore wind by 2030, up from 10% today (BEIS, 2019a).

United Nations Framework Convention on Climate Change

- 2.2.3 The United Nations Framework Convention on Climate Change (UNFCCC) was adopted in 1992 and ratified by 197 countries. Its objective is to stabilise Greenhouse Gas (GHG) concentrations in the atmosphere to a level that would prevent dangerous human harm to the climate system (United Nations, 1992).
- 2.2.4 The UNFCCC is put into operation through an international agreement, the 'Kyoto Protocol (UNFCCC, 1997). Adopted in 1997 by 192 parties including the UK, the agreement is a commitment to limiting and reducing GHG emissions between 2008 and 2012 in accordance with individually agreed targets. The Kyoto Protocol was ratified by the UK in 2002.

- 2.2.5 In 2012, the ‘Doha Amendment’ (UNFCCC, 2012) resulted in an extension to the Kyoto Protocol for a second commitment period from 2013 until 2020 and included a new commitment to reducing GHG emissions by 18% below 1990 levels. The EU committed to a 20% reduction in its GHG emissions as part of the Doha Amendment; this includes an option for the GHG reduction target, made under the Kyoto Protocol, to be increased to 30%.
- 2.2.6 Building on these commitments, the 21st Conference of the Parties in Paris aimed to accelerate global action for a sustainable future and resulted in the 2015 ‘Paris Agreement’. The key aim lies in “*holding the increase in the global average temperature well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change.*” (United Nations, 2015, art.2(a)). To work towards this goal, the signatories have prepared and communicated nationally determined contributions (NDCs) to be maintained. The UK’s commitment, covered by the EU pledge, is a 40% reduction in GHG emissions by 2030 against the 1990 baseline. These NDCs are to be assessed together every 5 years to determine the collective progress made towards the aim of the Paris Agreement.

European Union Renewables Directive

- 2.2.7 The first EU level legislation on renewable energy was implemented in 2001. Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market (‘Renewable Energy Directive’) aimed to encourage member states to increase the contribution of renewable energy sources in their internal electricity market. The Directive required member states to do so by setting national indicative targets for future electricity consumption produced from renewable energy sources.
- 2.2.8 The 2001 Renewable Energy Directive was amended and repealed by Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources, still in force currently. The 2009 Renewable Energy Directive set the target of reaching 20% of the EU’s energy consumption to come from renewable sources by 2020.

The Energy Act 2013

- 2.2.9 The Energy Act (2013) outlines the UK’s commitment to low carbon energy industry and investment in low carbon electricity generation. The Act establishes the legislative framework to enable secure, affordable and low carbon energy. It includes provisions on the following.
- Decarbonisation. It allows the Secretary of State (SoS) to set a 2030 decarbonisation target range for electricity in secondary legislation.
 - Electricity Market Reform (EMR) which consists of measures aimed at attracting the £110 billion investment needed for the low-carbon transition. It introduces the Contracts for Difference (CfDs), long-term contracts encouraging investment in low carbon electricity generation.

The Climate Change Act 2008

- 2.2.10 The Climate Change Act 2008 presents the UK's legally binding commitment to reducing its GHG emissions and establishes a commitment for five-yearly carbon budgets. When originally legislated, the target was a reduction in GHG emissions by 80% by 2050, compared to 1990 levels.
- 2.2.11 In June 2019, secondary legislation, the Climate Change Act 2008 (2050 Target Amendment) Order 2019 was passed and extended the 80% reduction target to "at least 100%", compared to the 1990 levels. This target has become known as "net zero". This update was guided by advice from the Committee on Climate Change to keep in line with the UK targets made under the Paris Agreement and recent advice published within the IPCC Special Report on 1.5C.
- 2.2.12 In 2019, the UK Government also declared a Climate Emergency based on latest evidence of climate change and urgent reduction of carbon dioxide emissions needed. Measures proposed by the UK Government to address climate change include phasing out all coal plants, reducing gas plants, and increasing the use of renewable energy such as wind power (onshore and offshore), solar, hydro and wave (BEIS, 2020b).
- 2.2.13 The UK Government sets out how the energy system will be consistent with net zero emissions by 2050 through a shift to a clean energy system in its Energy White Paper: Powering our net zero future (BEIS, 2020a).

National Infrastructure Strategy

- 2.2.14 The National Infrastructure Strategy (HM Treasury, 2020) presents the UK Government's plans to deliver significant improvements to UK infrastructure which will enable economic growth and progress towards the net zero by 2050 ambition.
- 2.2.15 The strategy highlights the importance of the offshore wind sector in delivering on the economic and environmental ambitions. The UK Government is striving to promote green growth clusters in traditional industrial areas with offshore wind amongst other initiatives. Alongside significant investment in offshore wind to increase the share of renewables in energy generation, the Government has set a target to deliver 40 Gigawatts (GW) of offshore wind capacity in the UK by 2030 (HM Treasury, 2020).

Offshore Wind Sector Deal

- 2.2.16 The Offshore Wind Sector Deal (BEIS, 2019b) builds on the ambitions of the National Infrastructure Strategy and seeks to build the UK's leadership position in offshore wind by capitalising on advantages from the global shift to clean growth. The document sets out a number of governmental and sector commitments for offshore wind including, but not limited to:
- Governmental support of up to £557m for contracts of Difference;
 - increasing exports fivefold to £2.6bn per annum by 2030;
 - sector investments of up to £250m to strengthen the UK supply chain, creating the Offshore Wind Growth Partnership;

- maximising new technology and developing innovative products and services.

2.2.17 The Deal brings the Government and industry in partnership to increase the sector's productivity and competitiveness.

UK Renewable Energy Strategy

2.2.18 The UK Renewable Energy Strategy (HM Government, 2009) outlines the UK's commitment to source 15% of energy from renewable sources by 2020, whilst reducing its fossil fuel consumption by 10% and gas imports by 20-30%. The aim is to generate more than 30% of the UK's electricity needs, 12% of its heating needs and 10% of its transport energy with renewables. The strategy puts in place the financial mechanisms necessary for the advancement of these goals with around £30 billion to be invested between 2009 and 2020.

2.2.19 In 2019, 12.3% of final energy consumption in the UK was generated by renewables. Of the total electricity generated, renewable electricity amounted to 35%. Heat from renewable sources accounted to 7.9% of total heat consumption. The share of renewables in transport energy reached 8.8% (BEIS, 2020c).

2.3 Overarching legislative framework

2.3.1 A range of environmental legislation at International, European and National level will apply to the EIA for Rampion 2. This environmental legislation will be described in the ES and some key noteworthy legislation taken into consideration are presented in **Table 2-1**.

2.3.2 UK Legislation is derived from a range of international agreements (including European Union (EU) directives, regulations and agreements) which are outlined in this Chapter. On 31 December 2020 the UK exited the "implementation period" provided for by the European Union (Withdrawal) Act 2018 ("Withdrawal Act 2018"). Ss. 2-3 of the Withdrawal Act 2018, as amended, provides that direct EU legislation, and EU-derived domestic legislation, continue to have effect in domestic law after that day. In summary, the interpretation of any retained EU law is to be the same as it was before that day, insofar as the retained EU law remains unmodified in UK law and regulations have not been made providing otherwise (s. 6(3) of the Withdrawal Act 2018).

2.3.3 The 2017 EIA Regulations continue to have effect notwithstanding the UK's departure. The same principle applies for the Directives listed in **Table 2-1**.

2.3.4 Any changes to relevant policy and legislation will be updated and considered as the EIA process proceeds towards submission of the Development Consent Order (DCO) Application.

Table 2-1 Summary of environmental and nature conservation drivers

Drivers	Key requirements
International	
<p>Council Directive 2000/60/EC establishing a framework for Community action in the field of water policy (the ‘Water Framework Directive’ - WFD)</p>	<p>Introduces a holistic approach to water quality management and aims to ensure the protection and improvement of all aspects of the water environment. Establishes a framework for an integrated approach to the protection, improvement and sustainable use of Europe's water bodies, and requires all member states to achieve good ecological and chemical status of their water bodies (including coastal waters up to 1 nautical mile (nm) offshore) by 2015. The Directive makes Member States responsible for ensuring that all inland and coastal waters reach at least the “good status”. To improve the status of waterbodies, the implementation of river basin management plans is required. Under the WFD, the Environment Agency (EA) is responsible for monitoring water quality and reports the data against Environmental Quality Standards (EQS).</p>
<p>Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (the ‘Habitats Directive’)</p>	<p>Implements the Convention on the Conservation of European Wildlife and Natural Habitats and The Convention on the Conservation of Migratory Species of Wild Animals. The directive targets the conservation of wild fauna and flora natural habitats and intends to protect biodiversity by providing robust protection for those habitats and species of European importance. Annex I of the Directive lists the specific habitats under protection.</p> <p>Annexes II and IV of the Habitats Directive lists all European Protected Species (EPS), which include both marine and terrestrial animals and plants.</p>
<p>Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (the ‘Birds Directive’)</p>	<p>Provides a framework for the conservation and management of wild birds in Europe. It places an overarching requirement on Member States to take necessary measures to maintain the populations of all wild birds at levels determined by ecological, scientific</p>

Drivers	Key requirements
	<p>and cultural needs. The Directive established, under Article 4, a network of Special Protection Areas (SPAs) for rare or vulnerable species listed in Annex I and for all regularly occurring migratory species. It also establishes a general scheme of protection for all wild birds (required by Article 5). The SPA protection procedures originally set out in Article 4 of the Birds Directive have been replaced by the Article 6 provisions of the Habitats Directive.</p>
<p>The Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention)</p>	<p>Ramsar Sites are designated under the Convention on Wetlands of International Importance, agreed in Ramsar, Iran in 1971 and ratified by the UK in 1976. The criteria for assessing a site for designation as a Ramsar site include whether or not the wetland supports 20,000 water birds and/or supports 1% of the individuals in a population of one species or subspecies of water bird. UK Government policy affords the same protection to Ramsar sites as European designations such as SPAs and Special Areas of Conservation (SAC). The UK has generally chosen to underpin the designation of its Ramsar sites through prior notification of these areas as Sites of Special Scientific Interest (SSSI).</p>
<p>Convention for the Protection of the Marine Environment of the North-East Atlantic (the 'OSPAR Convention') 1992 (as amended)</p>	<p>International cooperation to protect the marine environment of the north east Atlantic.</p> <p>OSPAR's biodiversity strategy establishes a network of Marine Protected Areas (MPAs). The UK has currently identified 283 OSPAR MPAs (many of which are Natura 2000 sites) that also meet the relevant OSPAR selection criteria (OSPAR, 2006). 'Natura 2000' is an umbrella term for the network of protected sites that include SPAs and SACs across the EU. These important high-quality conservation sites are intended to significantly contribute to the conservation of habitats and species listed in the Birds and Habitats Directives</p>

Drivers	Key requirements
The Convention on Biological Diversity	<p>The Convention on Biological Diversity is a legally binding treaty between 168 signatories including the UK which came into force in 1993. It has three main objectives:</p> <ul style="list-style-type: none"> • The conservation of biological diversity; • The sustainable use of the components of biological diversity; and • The fair and equitable sharing of the benefits arising from the utilisation of genetic resources. <p>The Convention recognised for the first time in international law that the conservation of biological diversity is "a common concern of humankind" and is an integral part of the development process. The Convention covers all ecosystems, species, and genetic resources. The establishment of Natura 2000 sites stemmed from this Convention.</p>
Transboundary Considerations – Espoo Convention	<p>Presents the obligations of parties to notify and consult each other on all major projects under consideration that are likely to have significant adverse environmental effects (transboundary effects) across international boundaries.</p> <p>The Convention has been implemented in the UK for the purposes of nationally significant infrastructure projects (NSIPs) by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. In addition, the Planning Inspectorate's (PINS) Advice Note Twelve: Transboundary Impacts and Processes (PINS, 2018) sets out the procedures for a consultation in association with a DCO Application where there may be significant transboundary effects which occur when impacts from a development within one European Economic Area (EEA) state affects the environment of another EEA state(s).</p>

Drivers	Key requirements
National	
<p>Marine and Coastal Access Act 2009</p>	<p>The Marine and Coastal Access Act (MCAA) sets out a spatial planning system for improved management and protection of the marine and coastal environment. The MCAA established the Marine Management Organisation (MMO), the authority tasked with ensuring the delivery of sustainable development in the marine area. The MMO remains the monitoring and enforcement body in respect of the conditions and restrictions set out in the deemed Marine Licences. The MCAA created a relatively new type of Marine Protected Area (MPA) called Marine Conservation Zones (MCZ), which are of national importance. MCZs are intended to protect areas that are important to conserve the diversity of rare, threatened and representative marine habitats, species, geology and geomorphology in UK waters.</p>
<p>Wildlife and Countryside Act 1981</p>	<p>Enables the designation of SSSIs to provide statutory protection of the best flora, fauna, geological and physio-geological features. SSSI legislation applies to areas of the terrestrial and intertidal environment only. The Countryside and Rights of Way Act 2000 made improved provisions for the protection and management of SSSIs. Natural England has overall responsibility for the management of the SSSI network in England.</p> <p>The Wildlife and Countryside Act also enables Statutory Nature Conservation Bodies to declare sites which are considered to be of national importance as National Nature Reserves (NNRs). NNR's are a statutory designation made under Section 21 of the Act by principal local authorities. They are places with wildlife or geological features that are of special interest locally.</p> <p>The Wildlife and Countryside Act defines a series of offences aimed at protecting wild birds and prohibiting the introduction and spread of invasive non-native species.</p>

Drivers	Key requirements
<p>The Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulation 2017</p>	<p>In England and Wales, the Habitats Directive and elements of the EU Wild Birds Directive are implemented under the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') onshore and up to 12 nautical miles (nm) offshore and the Conservation of Offshore Marine Habitats and Species Regulations 2017 between 12 and 200 nm offshore.</p> <p>The Habitats Regulations require the assessment of any significant effects on qualifying features of European Conservation Sites that are likely to arise as a result of a proposed project. These sites include SACs, SPAs, Sites of Community Importance (SCIs) and Ramsar sites.</p> <p>The Habitats Regulations and the Offshore Marine Regulations qualify the killing, injury, capture or disturbance a European Protected Species as an offence except where specific licences are obtained. Licences in England are granted by Natural England for activities impacting European Protected Species up to 12nm and by the MMO beyond 12nm.</p>
<p>Countryside and Rights of Way Act 2000</p>	<p>Under the Countryside and Rights of Way Act 2000, Natural England has the power to designate Areas of Outstanding Natural Beauty (AONBs) in England for areas excluding national parks and considered to have significant landscape value. The Act amends the law relating to Public Rights of Way (PRoWs) including making provision for public access on foot to certain types of land. Amendments are made to improve the management and protection of SSSIs, as well as to the Wildlife and Countryside Act 1981, to strengthen the legal protection for threatened species. Provision is also made to improve AONBs management.</p>
<p>Protection of Badgers Act 1992</p>	<p>The Act makes it an offence to wilfully kill, injure or take, or attempt to kill, injure or take a badger; and to cruelly ill-treat a badger. The Act also makes it an offence to intentionally or recklessly damage, destroy or</p>

Drivers	Key requirements
National Parks and Access to the Countryside Act 1949	obstruct a badger sett, or to disturb a badger whilst in a set. A licence may be granted for the purpose of development which will interfere with a badger sett within an area specified in the licence.
The Hedgerow Regulations 1997	The Act makes provision for National Parks and the establishment of a National Parks Commission. It confers powers for the establishment and maintenance of nature reserves on the Nature Conservancy and local authorities. It also makes further provision for the recording, creation, maintenance and improvement of public paths and for securing access to open country.
Natural Environment and Rural Communities Act 2006 (NERC)	States it is an offence to remove or destroy certain hedgerows without permission from the local planning authority which is the enforcement body for offences of this kind.
Natural Environment and Rural Communities Act 2006 (NERC)	Section 41 of the Act requires the relevant SoS to compile a list of habitats and species of principal importance for the conservation of biodiversity in England. This list is to be used as a guide by decision makers of public bodies, in the execution of their duties relating to biodiversity conservation in England.

- 2.3.5 This list of environmental legislation is not exhaustive and each individual environmental aspect chapter describes the legislation, policy and guidance relevant to its assessment (**Chapters 6 to 28**).

2.4 National planning policy

The Planning Act 2008

- 2.4.1 The Planning Act 2008 establishes the nature and scale of development that is, or forms part of, a NSIP and for which development consent is required. Rampion 2 is defined as an NSIP under Section 15(3) of the Planning Act 2008 as the Proposed Development is offshore and has an expected capacity greater than 100MW. As required by Section 31 of the Planning Act 2008, Rampion 2 will submit a DCO Application.

- 2.4.2 The Planning Act 2008 was amended through the adoption of the Localism Act 2011, which transferred decision-making responsibilities to the relevant SoS which for Rampion 2 is the SoS for Business, Energy and Industrial Strategy (BEIS). Under the Localism Act 2011, PINS is responsible for the NSIP planning process and will examine the Rampion 2 DCO Application and make a recommendation to the SoS to grant or refuse consent. On receipt of the report and recommendation from PINS, the SoS then makes the final decision on whether or not to make the Order granting development consent.
- 2.4.3 Sections 42 and 47 of the Planning Act 2008 place a duty on the Applicant to consult on the proposed application, before it can be submitted. This PEIR forms part of the suite of documents being consulted on by Rampion Extension Development Limited (RED) through the pre-application consultation process.
- 2.4.4 The SoS's decision must be in accordance with the relevant designated National Policy Statements (NPSs) (outlined in **paragraph 2.4.15**), unless one or more of the exceptions set out in Section 104 of the Planning Act 2008 applies.
- 2.4.5 This PEIR, and the subsequent Environmental Statement (ES), will consider other important and relevant national and local planning policy to ensure that the relevant environmental considerations have been appropriately assessed and decisions can be clearly made against these considerations.

Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and guidance documents

- 2.4.6 The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations 2017") transpose the provisions of the EIA Directive (2014/52/EU, amending 2011/92/EU). The EIA Regulations 2017 require that the effects of a project, where these are likely to have a significant effect on the environment, are taken into account in the decision-making process for that project. The EIA Regulations 2017 indicate the process and requirements for the provision of adequate environmental information to enable the EIA process.
- 2.4.7 As required under the EIA Regulations 2017, the DCO Application for the Proposed Development will be accompanied by an Environmental Statement (ES).
- 2.4.8 A Scoping Report was submitted by RED to the SoS for BEIS on 2 July 2020 (RED, 2020). A Scoping Opinion was subsequently adopted by PINS, on behalf of the SoS, on 11 August 2020 (PINS, 2020d). RED's notification under Regulation 8(1)(b) confirms that the DCO Project is 'EIA development' in accordance with Regulation 6(2)(a) of the EIA Regulations 2017. The environmental effects of the Proposed Development will be identified and assessed based on the Scoping Opinion, and ongoing engagement and assessment work throughout the EIA process.
- 2.4.9 As required by the EIA Regulations 2017, this PEIR contains information that has been compiled by the applicant, and which is reasonably required at this pre-application stage of Rampion 2, to enable consultees to develop an informed view of the likely significant environmental effects of the Proposed Development. This document therefore contains information on the preliminary environmental effects of the Proposed Development that have been capable of being established to

date. A summary of how this PEIR responds to the Scoping Opinion is provided in **Appendix 5.1: Response to the Scoping Opinion, Volume 4**.

- 2.4.10 As advised in PINS Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements (Planning Inspectorate, 2020a), a PEIR is not expected to replicate or be a draft of an ES and this document is not intended to be a complete assessment of the likely significant environmental effects of the Proposed Development at this stage. Further information on the approach to the PEIR is provided in **Chapter 5: Approach to the EIA**. This PEIR is structured so that it can evolve into the ES, which will eventually document the EIA undertaken for Rampion 2.
- 2.4.11 The ES will document the direct effects and any indirect, secondary, cumulative, permanent and temporary, positive and negative effects at all stages of the Proposed Development and the environmental measures envisaged to avoid, prevent or reduce and, if possible, offset likely significant adverse effects. These effects will be identified and assessed having regard to the Scoping Opinion adopted by the Secretary of State, and ongoing consultation, engagement and assessment work throughout the EIA process. Further information on scoping and the EIA Regulations 2017 is provided in **Chapter 5**.

Habitat Regulations Assessment (HRA)

- 2.4.12 In accordance with the Habitats and Birds' Directives (Council Directive 92/43/EEC and Directive 2009/147/EC) a network of protected areas has been designated by European Union member states for the protection of Europe's most valuable and threatened habitats and species. These areas are known as European sites. These sites consist of Special Areas of Conservation (SAC) and Special Protection Areas (SPA). As a matter of Government policy, listed Ramsar sites receive the same protection.
- 2.4.13 The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Habitats Regulations) transpose the Directives into UK law. The Habitats Regulations require that an Appropriate Assessment (AA) of the implications must be made by the relevant decision-making authority (or Competent Authority) if a project (or plan) that is not directly connected to, or necessary to the management of a European site is likely to have a significant effect on a European site either alone, or in combination with other plans or projects. The process of determining potential impacts to European sites is known as Habitats Regulations Assessment (HRA).
- 2.4.14 In order to carry out the HRA, the competent authority, under Regulation 5(2)(g) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, requires a report to be submitted alongside the ES. Information collated to date which will inform the HRA is presented in **Chapter 14: Nature Conservation** and **Chapter 23: Terrestrial ecology and nature conservation** of this PEIR and a preliminary draft of the HRA screening report is provided in **Appendix 23.2: HRA Screening Report, Volume 4**.

National Policy Statements

- 2.4.15 Part 2 of the Planning Act 2008 makes provision for National Policy Statements (NPSs). NPSs comprise the Government’s objectives for the development of NSIPs and set out national policy against which NSIP applications are assessed. The SoS is required to determine a DCO Application in accordance with an NPS, except in certain limited circumstances set out in Subsections 104(4) to (8) of Planning Act 2008.
- 2.4.16 There are currently 12 designated NPSs of which six relate to energy generation, the four NPSs of relevance to Rampion 2 are:
- Overarching National Policy Statement for Energy (EN-1) (DECC, 2011a);
 - National Policy Statement for Renewable Energy (EN-3) (DECC, 2011b);
 - National Policy Statement for Electricity Networks (EN-5) (DECC, 2011c); and
 - National Policy Statement for Ports (DfT, 2012).
- 2.4.17 NPS EN-1 presents the Government’s policy for delivering major energy infrastructure and the context for any environmental assessment relating to energy infrastructure. Part 2 of EN-1 provides information regarding the Government’s energy and climate change strategy including policies for mitigating climate change. Part 3 emphasises the need for new renewable electricity generation projects for the UK to meet its target of 15% of its total energy coming from renewables.
- 2.4.18 Paragraph 4.1.2 of EN-1 states that “*given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the IPC should start with a presumption in favour of granting consent to applications for energy NSIPs*”.
- 2.4.19 Part 4 of EN-1 sets out general assessment principles relevant to all energy projects and Part 5 sets out “*generic impacts*” that may arise from the development of energy infrastructure covered by the energy NPS.

Table 2-2 Impacts from NPS EN-1, EN-3 and EN-5

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
Overarching National Policy Statement for Energy (EN-1)		
4.2 Environmental Statement – cumulative effects	Chapter 5: Approach to the EIA and aspect Chapters 6 to 28.	The methodology for undertaking the cumulative impact assessment will be set out in the ES, and each topic chapter will provide a description of the cumulative and inter-related effects of the Proposed Development.

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
4.2 Environmental statement - flexibility	Chapter 2: Policy and legislative context, and Chapter 4: The Proposed Development.	If any design flexibility is sought in the DCO, the ES will justify why this flexibility is sought, and provide a description of the design parameters.
4.3 Habitat and Species Regulations	Draft Report to Inform Appropriate Assessment (RIAA), (RED, 2021), provided alongside the PEIR.	A Habitat Regulations Assessment Report will be submitted as part of the DCO Application, including sufficient information to inform an Appropriate Assessment (if required). A record of engagement with Natural England and the JNCC will be provided in the Report.
4.4 Alternatives	Chapter 3: Alternatives.	The ES will include a description of the main alternatives considered and will set out the main reasons why choices were selected, taking account of environmental, social and economic impacts.
4.5 Good design	The design approach and process for the Proposed Development as set out in Chapter 3: Alternatives.	A Design and Access Statement will be provided as part of the DCO Application setting out how the Proposed Development has applied 'good design' criteria.
4.8 Climate change Adaptation	Chapter 4: The Proposed Development, Appendix 5.2: Greenhouse gas assessment, Volume 4, and Appendix 27.2: Flood Risk Screening Assessment, Volume 4.	The ES will set out how the projected impacts of climate change have been assessed and the design measures built into the development to ensure climate resilience.
4.13 Health	Human health is addressed through the individual assessments for Chapter 25: Ground conditions, Chapter 22: Noise and vibration, Chapter 20: Air quality and	The ES will identify any adverse health impacts and proposed mitigation measures to avoid and reduce these impacts through the individual assessments.

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
	<p>Chapter 18: Socio-economics. A preliminary WFD assessment has been provided in Appendix 27.3, Volume 4 and this considers the potential for contaminated sediments near bathing waters.</p> <p>Appendix 5.2: Greenhouse gas assessment, Volume 4 examines the wider consequences of GHG emissions arising from the Proposed Development.</p>	
5.2 Air quality and emissions	<p>Chapter 20: Air quality, and Appendix 5.2: Greenhouse gas assessment, Volume 4</p>	<p>The ES will include a description of baseline air quality levels, the changes to these levels, significant air emissions and any proposed mitigation measures.</p>
5.3 Biodiversity and geological conservation	<p>Chapter 8: Fish and shellfish ecology, Chapter 9: Benthic, subtidal and intertidal ecology, Chapter 10: Commercial fisheries, Chapter 11: Marine mammals, Chapter 12: Offshore and intertidal ornithology, Chapter 14: Nature conservation, Chapter 23: Terrestrial ecology and nature conservation, and Chapter 25: Ground conditions.</p>	<p>The ES will include an assessment of the effects on designated and non-designated sites of ecological and geological importance, and habitats and species. The indirect impacts on Sites of Special Scientific Interest and Ancient Woodland will be considered.</p> <p>Mitigation measures, and measures to enhance biodiversity and geological conservation interests will be set out in the ES.</p>
5.4 Civil and military aviation and defence interests	<p>Chapter 15: Civil and military aviation.</p>	<p>The ES will include an assessment of the effects on civil or military aviation and defence assets.</p> <p>A record of engagement with the Ministry of Defence, the Civil Aviation Authority, NATS and any aerodrome potentially</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
5.5 Coastal change	<p>Chapter 6: Coastal processes, Chapter 8: Fish and shellfish ecology, Chapter 9: Benthic, subtidal and intertidal Ecology, Chapter 10: Commercial fisheries, Chapter 11: Marine mammals, Chapter 12: Offshore and intertidal ornithology, Chapter 18: Socio-economics, and Draft Report to Inform Appropriate Assessment (RIAA), (RED, 2021), provided alongside the PEIR.</p>	<p>affected will be provided in the ES.</p> <p>The ES will include an assessment of the Proposed Development on coastal processes and geomorphology and the implications on any Shoreline Management Plan.</p> <p>The implications on marine ecology, biodiversity and protected sites will be considered in the ES.</p> <p>The effect of the Proposed Development on maintaining coastal recreation sites and features will be considered in the ES.</p>
5.6 Dust, odour, artificial light, smoke, steam and insect infestation	<p>Chapter 16: Seascape, landscape and visual; Chapter 19: Landscape and visual impact assessment, and Chapter 20: Air quality.</p>	<p>A Statement of Statutory Nuisances will be provided as part of the DCO Application.</p> <p>The assessment of dust emissions will be considered in the assessment of air quality in the ES as confirmed in Chapter 20 of the PEIR.</p> <p>The impacts of artificial light will be considered in the ES.</p>
5.7 Flood risk	<p>Chapter 27: Water environment, and Appendix 27.2: Flood Risk Screening Assessment, Volume 4.</p>	<p>A Flood Risk Assessment will be provided as an ES Appendix and will include the minimum requirements set out in EN-1.</p> <p>Engagement undertaken with the Environment Agency in relation to the Flood Risk Assessment will be presented in the ES.</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
5.8 Historic environment	Chapter 17: Marine archaeology and Chapter 26: Historic environment.	An assessment of the effects on the historic environment including a description of the heritage assets, a desk based archaeological assessment, and an assessment of the significance of impact on heritage assets will be provided in the ES.
5.9 Landscape and visual	Chapter 16: Seascape, landscape and visual, Chapter 19: Landscape, visual and amenity assessment, and Chapter 3: Alternatives.	<p>The ES will include an assessment of the impacts on landscape character in accordance with relevant guidance, and the potential impact on views and visual amenity. The ES will also consider the impact of light pollution as confirmed in Chapters 16 and 19 of the PEIR.</p> <p>Alternatives for developing the Proposed Development outside of a National Park will be considered in the ES as confirmed in Chapter 3 of the PEIR.</p>
5.10 Land use including open space, green infrastructure and Green Belt	Chapter 18: Socio-economics, Chapter 19: Landscape and Visual Impact, and Chapter 21: Soils and agriculture.	<p>The ES will include a description of the impact of the Proposed Development in existing and proposed land uses. The impact on coastal recreational sites will also be considered in this chapter.</p> <p>The ES will include an assessment of the impact on agricultural land and soil resources.</p>
5.11 Noise and vibration	Chapter 4: The Proposed Development, Chapter 22: Noise and vibration, and Chapter 23: Terrestrial	The ES will include an operational noise assessment including the requirements set out in EN-1. The relevant

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
	ecology and nature conservation.	<p>standards and guidance will be used in the assessment.</p> <p>The ES will also assess the noise impacts on protected species and other wildlife.</p> <p>The ES will demonstrate how noise mitigation has been embedded into the design of the Proposed Development.</p>
5.12 Socio-economic	Chapter 18: Socio-economics.	<p>The ES will include an assessment of socio-economic impacts, including the creation of jobs and training opportunities, the impacts on local services and tourism, and the impact of the influx of workers. The existing socio-economic conditions will be described, and consideration given to relevant local planning policies.</p>
5.13 Traffic and transport	Chapter 24: Transport.	<p>The ES will include a transport assessment in accordance with the requirements of EN-1. An Outline Travel Plan will be submitted as part of the DCO Application.</p>
5.14 Waste management	<p>Waste management is addressed across Chapter 4: The Proposed Development, Outline Code of Construction Practice, Chapter 21: Soils and agriculture with regard to soils management and Chapter 25: Ground conditions with regard to consideration of contaminated land.</p>	<p>The ES will include a description of the measures proposed for managing waste, and the ability of waste management facilities to accommodate this waste. An Outline Site Waste Management Plan will be prepared and submitted as part of the DCO Application.</p>
5.15 Water quality and resources	Chapter 27: Water environment, and Appendix 27.3: Water Framework	<p>The ES will include a description of the impact of the Proposed Development on</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
	Directive Assessment, Volume 4.	<p>water quality, water resources and the physical characteristics of the water environment in accordance with the requirements set out in EN-1.</p> <p>A Water Framework Directive assessment will also be provided to demonstrate the regard had to River Basin Management Plans.</p>
National Policy Statement for Renewable Energy (EN-3)		
2.3 Climate change adaptation	Appendix 5.5: Vulnerability to climate change policy and baseline, Volume 4.	The ES will set out how the offshore windfarm aspect of the Proposed Development will be resilient to storms.
2.4 Good design	<p>The design approach and process for the Proposed Development as set out in Chapter 3: Alternatives, Chapter 20: Landscape and Visual Impact, Chapter 23: Noise and Vibration, and Chapter 23: Terrestrial ecology and nature conservation.</p>	<p>A Design and Access Statement will be provided as part of the DCO Application setting out how the Proposed Development as applied 'good design' criteria.</p> <p>The ES will confirm how good design has been considered in respect to landscape and visual amenity, and in the design of mitigation for noise and ecology.</p>
2.6 Site selection and design	<p>Chapter 8: Fish and shellfish ecology, Chapter 9: Benthic, subtidal and intertidal Chapter 11: Marine mammals, and Chapter 17: Marine archaeology.</p>	The ES will assess the impact of the foundation design on marine biodiversity, physical environment and marine heritage assets.
2.6 Flexibility in the project details	<p>Chapter 2: Policy and legislative context, and Chapter 4: The Proposed Development.</p>	If any design flexibility is sought in the DCO, the ES will justify why this flexibility is sought, and provide a description of the design parameters.

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
2.6 Biodiversity	Chapter 8: Fish and shellfish ecology, Chapter 9: Benthic, subtidal and intertidal ecology, Chapter 10: Commercial fisheries, Chapter 11: Marine mammals, Chapter 12: Offshore ornithology, and Chapter 14: Nature conservation.	<p>The ES will assess the impacts on fish, seabed habitats, marine mammals and birds. Consideration will be given to disturbance and habitat loss.</p> <p>The ES will provide an outline of the consultation undertaken with statutory consultees to agree the assessment methodologies.</p> <p>The ES will refer to any post-construction ecological monitoring from the existing Rampion 1 project as relevant.</p>
2.6 Fish	Chapter 8: Fish and shellfish ecology.	<p>The ES will consider the impact on fish communities in relation to spawning, nursery and feeding grounds, over-wintering areas for crustaceans and migration routes.</p> <p>The ES will consider proposed mitigation for EMF.</p>
2.6 Intertidal	Chapter 3: Alternatives, Chapter 4: The Proposed Development, and Chapter 9: Benthic, subtidal and intertidal ecology.	<p>Any alternative landfall sites and cable installation methods considered will be described in the ES.</p> <p>The assessment of intertidal impacts will consider potential loss of habitat, disturbance, increased suspended sediment loads and the recovery rates from temporary effects. The ES will describe any mitigation measures required.</p>
2.6 Marine Mammals	Chapter 11: Marine mammals and Appendix 11.2: Marine mammal quantitative underwater noise impact assessment, Volume 4.	<p>The ES will present an assessment of effects on marine mammals which will include details of likely feeding areas, known birthing areas/haul out sites, nursery</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
2.6 Birds	<p>Chapter 12: Offshore and intertidal ornithology and Draft Report to Inform Appropriate Assessment (RIAA), (RED, 2021), provided alongside the PEIR.</p>	<p>ground, known migration or commuting routes. The assessment will consider the impacts of noise and piling on marine mammals. Measures to reduce the noise impacts on marine mammals will be described in the ES.</p> <p>The ES and HRA Report will consider the impacts of the Proposed Development on birds including collision, habitat loss, disturbance, displacement and any barrier effects. The ES will confirm how the ornithological surveys have been agreed with the Joint Nature Conservation Committee (JNCC), Natural England and the wider Expert Topic Group attendees (via the Evidence Plan Process detailed in Chapter 1, Section 1.5), including any requirement for collision risk modelling.</p> <p>The ES will draw on any relevant information from other offshore wind farms. Mitigation measures will be defined in the ES, taking account of the considerations set out in EN-3 paragraphs 2.6.107 – 110.</p>
2.6 Subtidal	<p>Chapter 9: Benthic, subtidal and intertidal Ecology.</p>	<p>The assessment of subtidal impacts will consider potential loss of habitat, disturbance, increased suspended sediment loads and the recovery rates from temporary effects. An assessment on inter-array, cable routes and installation methods will be provided. The ES will describe any mitigation measures required.</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
2.6 Commercial Fisheries and fishing	Chapter 10: Commercial fisheries.	<p>The ES will describe the consultation undertaken with statutory advisors and the fishing industry (Chapter 10, Section 10.3).</p> <p>The ES will include detailed surveys of the effects on fish stocks of commercial interest including the reduction of stocks, and constraints that may be imposed on fishing activity.</p> <p>If safety zones are imposed, the ES will assess the impacts of these, and outline the consultation undertaken with the Maritime and Coastguard Agency.</p>
2.6 Historic environment	Chapter 17: Marine archaeology.	<p>The ES will consider the direct and indirect effects on heritage assets in the marine environment, both adverse and beneficial. The assessment will draw on geophysical surveys. The application of Archaeological Exclusions Zones (AEZ) will be described in the ES. A record of consultation undertaken with Historic England will be provided in the ES.</p>
2.6 Navigation and shipping	Chapter 13: Shipping and navigation.	<p>The impact of the Proposed Development on navigation will be considered in the ES, including the impact on barrier creation, communications and radar and the impact of safety zones.</p> <p>The assessment will also consider the impact on recreational craft.</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
2.6 Oil, gas and other offshore infrastructure and activities	Chapter 7: Other marine users.	<p>The ES will outline the consultation undertaken with the navigation sector, including those bodies listed in paragraph 2.6.153 of EN-3. Information on internationally recognised sea lanes will be considered. A Navigational Risk Assessment will be carried out in accordance with the requirements of EN-3. Mitigation measures will also be considered and described in the ES.</p>
2.6 Physical Environment	<p>Chapter 4: The Proposed Development, Chapter 6: Coastal processes, Chapter 8: Fish and shellfish ecology, Chapter 9: Benthic, subtidal and intertidal ecology, Chapter 10: Commercial fisheries, Chapter 11: Marine mammals, Chapter 13: Shipping and navigation, Chapter 17: Marine archaeology and Appendix 27.2: Flood Risk Screening Assessment, Volume 4.</p>	<p>The ES will consider the impacts of the Proposed Development on the physical environment including water quality, waves and tides, scour effect, sediment transport and suspended solids. Consultation with the Environmental Agency, the MMO and Cefas on the assessment methodology in relation to physical processes will be described in the ES. Geophysical surveys undertaken to inform the assessment will be described in the ES. Geotechnical data collected will inform the design, assessment and appropriate construction techniques for Rampion 2. Cable burial depths and scour protection</p>

Impacts	Where addressed in PEIR	How this will be addressed within DCO Application
2.6 Seascape and visual effects	Chapter 16: Seascape, landscape and visual.	techniques will be described in the ES. The ES will consider the impacts of the Proposed Development on the seascape, landscape and visual receptors.
National Policy Statement for Electricity Networks (EN-5)		
2.4 Climate change adaptation	Chapter 4: The Proposed Development, Appendix 5.5: Vulnerability to climate change policy and baseline, Volume 4 and Appendix 27.2: Flood Risk Assessment, Volume 4.	The ES will describe whether the Proposed Development will be vulnerable to climate change, and measures proposed to ensure resilience. The ES will consider the impact of flooding, particularly for substations, the effects of wind and storms, the effect of higher average temperatures on potential transmission losses, and the impact of earth movement or subsidence caused by flooding or drought for underground cables.
2.5.2 Consideration of good design	The design approach and process for the Proposed Development as set out in Chapter 3: Alternatives , and Chapter 19: Landscape and visual assessment.	A Design and Access Statement will be provided as part of the DCO Application setting out how the Proposed Development has applied 'good design' criteria.
2.8 Landscape and Visual	Chapter 4: The Proposed Development, and Chapter 19: Landscape and visual assessment.	The ES will set out the consideration given to the undergrounding of the overhead line to minimise landscape and visual effects and the consideration of configuration and siting of the selected onshore substation to minimise landscape and visual effects.
2.10 Electric and Magnetic Fields (EMFs)	Chapter 23: Terrestrial ecology and nature conservation.	The EMF effects of the underground cables will be assessed within the ES.

- 2.4.20 NPS EN-3 recognises the need for 25 GW of new offshore wind-derived generating capacity in the UK Renewable Energy Zone (REZ) and the territorial waters of England and Wales. It outlines the need for flexibility in the application process for offshore wind NSIPs in situations where full details of the project may be unknown at the time of submission and recommends the use of PINS Advice Note Nine (the Rochdale Envelope) in such instances.
- 2.4.21 NPS EN-3 also addresses the need for flexibility in the application process for offshore wind NSIPs to allow for situations where full parameters of the project may be unknown at the time of submission (NPS EN-3, paragraph 2.6.43). In such instances, EN-3 recommends using the 'Rochdale Envelope' method (from here on referred to as the 'maximum design scenario'), which allows for the maximum adverse and positive scenario to be assessed in the EIA and a DCO granted on this basis (NPS EN-3, paragraph 2.6.43). Advice Note Nine outlines this approach in accordance with the requirements of the EIA Regulations 2017.
- 2.4.22 The approach to the maximum design scenario is a key element of this PEIR and is described further in **Chapter 5: Approach to the EIA**. **Chapter 4: The Proposed Development** sets out the design assumptions for the maximum design scenario for Rampion 2.
- 2.4.23 NPS EN-5 relates to electricity networks infrastructure and should be read in conjunction with the overarching principles of EN-1. It advises for a variety of topic areas what the applicant's assessment should address. It also advises on how consideration should be given to certain issues and on the treatment of mitigation measures, particularly how these may be enforced through requirements or obligations. It states that subsea and underground cables, along with associated infrastructure may constitute associated development for which consent is sought along with an NSIP, such as a generating station.
- 2.4.24 National Policy Statement for Ports (DfT, 2012) (NPSP) is the designated NPS that applies to the development of major ports infrastructure. Although the Proposed Development is not an application under NPSP, the NPS has been considered on the basis that the Proposed Development has the potential to affect major ports including some that are NSIP Ports and the prospective development of future ports.
- 2.4.25 The UK Government in its recent Energy White Paper has announced a review of the energy NPS (HM Government, 2020). The energy NPSs are currently subject to judicial review following a claim made by The Good Law Project in March 2020. The basis for this review is the belief that the NPSs, designated in 2011, do not accommodate the Government's 2050 net zero commitment. The Energy White Paper notes that the current NPS remain in force during the review process. Rampion 2 will keep abreast of potential changes to the energy NPSs and respond accordingly.
- 2.4.26 The UK Marine Policy Statement (MPS) (HM Government, 2011) prepared for the purposes of section 44 of the Marine and Coastal Access Act 2009, provides the policy framework for preparing marine plans and aims to contribute to sustainable development of the UK marine area. The MPS will support the development of marine plans which will (HM Government, 2011, p.3):

- *Promote sustainable economic development;*
- *Enable the UK's move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects;*
- *Ensure a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and our heritage assets; and*
- *Contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.*

2.4.27 The MPS presents offshore wind as an integral component of renewable energy in the UK with some of the best wind resources in the world. Offshore wind will also allow clear progression towards the national GHG and carbon targets.

The National Planning Policy Framework

2.4.28 The National Planning Policy Framework (NPPF) (Ministry of Housing, Communities and Local Government, 2019), published in February 2019, sets out the Government's economic, environmental and social planning policies for England and how these should be applied. The NPPF helps inform decision-making on planning applications as well as the production of local and neighbourhood plans. It replaces the Planning Policy Guidance Notes and Planning Policy Statements which previously provided national planning guidance to local planning authorities.

2.4.29 Although the NPPF does not contain policy relating to NSIPs, it does include policies pertinent to generic development management considerations and some of its principles may be considered relevant to Rampion 2. These principles are concerned with protection and conservation of the natural and built environment as well as sustainable growth and development. Further details the relevant principles of the NPPF.

Table 2-3 National Planning Policy Framework principles relevant to Rampion 2

Principles	Advice
Achieving sustainable development	The planning system aims <i>“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”</i> (Paragraph 8)
Making Effective Use of Land	<i>“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”</i> (Paragraph 117)

Principles	Advice
Achieving Well-Designed Places	<p><i>“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.” (Paragraph 124)</i></p>
Meeting the Challenge of Climate Change, Flooding and Coastal Change	<p><i>“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.” (Paragraph 148)</i></p>
Conserving and Enhancing the Natural Environment	<p><i>“Planning policies and decisions should contribute to and enhance the natural and local environment by:</i></p> <ul style="list-style-type: none"> <i>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</i> <i>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</i> <i>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</i> <i>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</i> <i>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</i> <i>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.</i> (Paragraph 170)

Principles	Advice
Conserving and Enhancing the Natural Environment	<p><i>“Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:</i></p> <ul style="list-style-type: none"> <i>a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;</i> <i>b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and</i> <i>c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”</i> (Paragraph 172)
Conserving and Enhancing the Natural Environment	<p><i>“Within areas defined as Heritage Coast (and that do not already fall within one of the designated areas mentioned in paragraph 172), planning policies and decisions should be consistent with the special character of the area and the importance of its conservation. Major development within a Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.”</i> (Paragraph 173)</p>
Conserving and Enhancing the Historic Environment	<p><i>“[Heritage] assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.”</i> (Paragraph 184)</p>

2.5 Regional and local planning policy

South Inshore and South Offshore Marine Plan

- 2.5.1 The South Marine Plan (HM Government, 2018) was prepared for the purposes of Section 51 of the Marine and Coastal Access Act and has been adopted with the agreement of the Secretary of State for Environment, Food and Rural Affairs. The Plan introduces a strategic planning approach within the inshore and offshore

waters between Folkestone (Kent) and the River Dart (Devon). The Plan aims to ensure appropriate activities are undertaken in appropriate locations whilst protecting and improving the marine environment. It provides a framework that will shape and inform decisions over how the areas' waters are developed, protected and improved.

Local Development Plans

- 2.5.2 Although s DCO Application is not subject to Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004, EN-1 advises that the SoS should take into account environmental, social and economic benefits and adverse impacts at a local level.
- 2.5.3 Local authorities prepare and maintain Local Development Plans which outline their intentions for use and development of the land within the area under their remit. Local development plan policies may be relevant considerations where they inform the assessment of potential effects e.g. by identifying land allocations and environmentally sensitive areas. However, if there is a conflict between the NPS and local policies, the NPS takes precedence.
- 2.5.4 The onshore area of the Proposed Development falls within the jurisdiction of Arun District Council, Horsham District Council and Mid-Sussex District Council. Therefore, the following documents have been considered in this PEIR:
- Arun Local Plan (Arun District Council, 2018);
 - Horsham District Planning Framework (Horsham District Council, 2015); and
 - Mid-Sussex District Plan (Mid-Sussex District Council, 2018).
- 2.5.5 The South Downs National Park Authority has also been consulted and its local plan the South Downs Local Plan (South Downs National Park Authority, 2019) has been considered in this PEIR due to the onshore temporary cable corridor lying partly within the National Park.
- 2.5.6 The documents listed in **Table 2-4** have helped inform the site selection for the onshore components of the Proposed Development, for which further details are provided in **Chapter 3: Alternatives**.
- 2.5.7 **Figure 2.1, Volume 3** illustrates the administrative boundaries within the Rampion 2 area.

Table 2-4 Planning policy documents from Local Planning Authorities

Local Planning Authority	Adopted Development Plan Document	Emerging Development Plan Document
Arun District Council	Arun Local Plan 2011-2031	N/A
Horsham District Council	Horsham District Planning Framework	Draft Horsham District Local Plan 2019-2036

Local Planning Authority	Adopted Development Plan Document	Emerging Development Plan Document
Mid-Sussex District Council	Mid-Sussex District Plan 2014-2031	N/A
South Downs National Park	South Downs Local Plan 2014-2033	N/A

2.5.8 Local waste and minerals plans may include policies of relevance to help inform the assessment of potential effects of Rampion 2. The West Sussex Waste Local Plan (2014) and the West Sussex Joint Minerals Local Plan (2018) cover the onshore development area and have been considered in this PEIR.

2.6 Other relevant guidance

2.6.1 The EIA will be undertaken in line with legislation and policy and specifically in accordance with the requirements of the EIA Regulations 2017. In addition, the EIA will take into consideration a range of up-to-date guidance documents which include (but are not limited to):

- Advice Note Three: EIA consultation and notification (Version 7) (Planning Inspectorate, 2017a);
- Advice Note Six: Preparation and submission of application documents (Version 8) (Planning Inspectorate, 2020b);
- Advice Note Seven: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping (Version 7) (Planning Inspectorate, 2020a);
- Advice Note Nine: Rochdale Envelope (Version 3) (Planning Inspectorate, 2018);
- Advice Note Ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (Version 8) (Planning Inspectorate, 2017b);
- Advice Note Eleven: Working with public bodies in the infrastructure planning process (Version 4) (Planning Inspectorate, 2017c);
- Advice Note Twelve: Transboundary Impacts and Process (Version 5) (Planning Inspectorate, 2020c);
- Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects (Version 2) (Planning Inspectorate, 2019);
- Advice Note Eighteen: The Water Framework Directive (Planning Inspectorate, 2017d);
- Cumulative Impact Assessment Guidelines – Guiding Principles For Cumulative Impact Assessment in Offshore Wind Farms (RenewableUK, 2013);

- Environmental Impact Assessment Guide to: Delivering Quality Development (IEMA, 2016);
- Delivering Proportionate EIA. A Collaborative Strategy for Enhancing UK Environmental Impact Assessment Practice (IEMA, 2017);
- Offshore Wind Farms: Guidance Note for Environmental Impact Assessment in Respect of FEPA and CPA Requirements (Version 2) (Centre for Environment, Fisheries and Aquaculture Science (CEFAS), 2004);
- South inshore and offshore Marine Plan Areas (MMO, June 2014); and
- Design Principles for National Infrastructure (National Infrastructure Commission, 2020).

2.6.2 These advice notes and guidance documents have informed the production of this PEIR.

2.7 PINS Scoping Opinion responses

2.7.1 **Table 2-5** sets out the comments received in Section 1.1 of the PINS Scoping Opinion relevant to policy and legislative context and how these have been addressed in this PEIR. Full details of the PINS Scoping Opinion comments and responses is provided in **Appendix 5.1: Response to the Scoping Opinion**. Regard has also been given to other stakeholder comments that were received in relation to the Scoping Report. The information provided in the PEIR is preliminary and therefore not all the Scoping Opinion comments have been able to be addressed at this stage.

Table 2-5 PINS Scoping Opinion responses – Policy and legislative context

PINS ID number	Scoping Opinion comment	How this is addressed in this PEIR
PINS12 Para 1.1.12	In accordance with Regulation 14(3)(a), where a scoping opinion has been issued in accordance with Regulation 10 an ES accompanying an application for an order granting development consent should be based on ‘the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)’.	This comment is acknowledged. The ES accompanying the DCO Application will be based on the most recent Scoping Opinion adopted.
PINS13 Para 1.1.13	The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2017 and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Habitats Regulations).	This comment is acknowledged. The ES will be co-ordinated with any assessment under the Habitats Regulations.

PINS ID number	Scoping Opinion comment	How this is addressed in this PEIR
	This assessment must be co-ordinated with the EIA in accordance with Regulation 26 of the EIA Regulations. The Applicant's ES should therefore be co-ordinated with any assessment made under the Habitats Regulations.	

2.8 Glossary of terms and abbreviations

Table 2-6 Glossary of terms and abbreviations

Term (acronym)	Definition
Areas of Outstanding Natural Beauty (AONBs)	Land protected for conservation and preservation under section 82 of the Countryside and Rights of Way Act 2000 for its natural beauty.
Climate Change	A change in the state of the climate that can be identified (e.g. by using statistical tests) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. Climate change may be due to natural internal processes, to external forcing or to persistent anthropogenic changes in the composition of the atmosphere, ocean or in land use.
Climate Change Act	Legislation enacted in 2008 by the UK Parliament to establish a framework for the reduction of greenhouse gas, which includes a target for the year 2050 emissions, a system of carbon budgeting, establishing the Committee on Climate Change, carbon trading schemes and other provisions.
Cumulative impact	Impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the Proposed Development.
DCO Application	An application for consent to undertake a Nationally Significant Infrastructure Project made to the Planning Inspectorate who will consider the application and make a recommendation to the Secretary of State, who will decide on whether development consent should be granted for the Proposed Development.
Department for Business, Energy & Industrial Strategy (BEIS)	The Government department responsible for business; industrial strategy; science; research and innovation; energy and clean growth; and climate change.

Term (acronym)	Definition
Development Consent Order (DCO)	This is the means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects, under the Planning Act 2008.
EIA Regulations, 2017	<p>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>The EIA regulations require that the effects of a project, where these are likely to have a significant effect on the environment, are taken into account in the decision-making process for the project.</p>
Environmental Impact Assessment (EIA)	The process of evaluating the likely significant environmental effects of a proposed project or development over and above the existing circumstances (or 'baseline').
Environmental Quality Standards (EQS)	The Environmental Quality Standards determines priority substances and certain other polluting chemicals as set out in the Water Framework Directive and Environmental Quality Standards Directive. A value is provided, generally defined by regulation, which specifies the maximum permissible concentration of a potentially hazardous chemical in an environmental sample, generally of air or water.
Environmental Statement	The written output presenting the full findings of the Environmental Impact Assessment.
European Union (EU)	The union of 27 European member states.
GHG	Greenhouse Gas
Habitats Regulation Assessment (HRA)	The assessment of the impacts of implementing a plan or policy on a European Site, the purpose being to consider the impacts of a project against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site.
Habitats Regulations	EC Council Directive 92/43/EEC, known as the Habitats Directive, was transposed in the UK by the Habitats Regulations 1994 (as amended). The Habitats Regulations apply to UK land and territorial waters and act to ensure biodiversity of natural habitats and of wild flora and fauna through a range of measures including designation of SACs.
Impact	The changes resulting from an action.

Term (acronym)	Definition
Indirect effects	<p>Effects that result indirectly from the Proposed Development as a consequence of the direct effects, often occurring away from the site, or as a result of a sequence of interrelationships or a complex pathway. They may be separated by distance or in time from the source of the effects.</p> <p>Often used to describe effects on landscape character that are not directly impacted by the Proposed Development such as effects on perceptual characteristics and qualities of the landscape.</p>
Institute of Environmental Management and Assessment (IEMA)	International membership organisation for environment and sustainability professionals.
Likely Significant Effects	It is a requirement of Environmental Impact Assessment Regulations to determine the likely significant effects of the Proposed Development on the environment which should relate to the level of an effect and the type of effect.
MCAA	Marine and Coastal Access Act
Marine Conservation Zone (MCZ)	A Marine Conservation Zone (MCZ) is a type of marine nature reserve in UK waters. They were established under the Marine and Coastal Access Act (2009) and are areas designated with the aim to protect nationally important, rare or threatened habitats and species.
Marine Management Organisation (MMO)	MMO is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs. MMO license, regulate and plan marine activities in the seas around England so that they are carried out in a sustainable way.
MPA	Marine Protected Area
MPS	Marine Policy Statement
National Policy Planning Framework (NPPF)	The National Policy Planning Framework sets out the Governments planning policies for England and how these are expected to be applied. It provides a framework within which local plans can be developed which reflect the community's needs.
Nationally Significant Infrastructure Project (NSIP)	Nationally Significant Infrastructure Projects are major infrastructure developments in England and Wales which are consented by DCO. These include proposals for

Term (acronym)	Definition
	offshore wind farms with an installed capacity over 100MW.
Natural England	The government advisor for the natural environment in England.
Offshore	The sea further than two miles from the coast.
Offshore Wind Farm	An offshore wind farm is a group of wind turbines in the same location (offshore) in the sea which are used to produce electricity.
Planning Act 2008	The legislative framework for the process of approving major new infrastructure projects.
Planning Inspectorate (PINS)	The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales.
Preliminary Environmental Information Report (PEIR)	The written output of the Environmental Impact Assessment undertaken to date for the Proposed Development. It is developed to support public consultation and presents the preliminary findings of the assessment to allow an informed view to be developed of the Proposed Development, the assessment approach that has been undertaken, draw preliminary conclusions on the likely significant effects of the Proposed Development and environmental measures proposed.
Proposed Development	The development that is subject to the application for development consent, as described in Chapter 2.
Receptor	These are as defined in Regulation 5(2) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and include population and human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage and landscape that may be at risk from exposure to pollutants which could potentially arise as a result of the Proposed Development.
Rochdale Approach	The Rochdale Approach is a parameter-based approach to environmental assessment which aims to take account of the need for flexibility in the evolution of detailed design.
Scoping Opinion	A Scoping Opinion is adopted by the Secretary of State for a Proposed Development.

Term (acronym)	Definition
Scoping Report	A report that presents the findings of an initial stage in the Environmental Impact Assessment process.
Secretary of State (SoS)	The body who makes the decision to grant development consent.
Significance	A measure of the importance of the environmental effect, defined by criteria specific to the environmental aspect.
Significant effects	It is a requirement of the EIA Regulations to determine the likely significant effects of the development on the environment which should relate to the level of an effect and the type of effect. Where possible significant effects should be mitigated.
Site of Community Importance (SCI)	SCIs are defined in the European Commission Habitats Directive (92/43/EEC) as a site which, in the biogeographical region or regions to which it belongs, contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type or of a species and may also contribute significantly to the coherence of Natura 2000, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region or regions concerned.
Site of Special Scientific Interest (SSSI)	Sites designated at the national level under the Wildlife & Countryside Act 1981 (as amended). They are a series of sites that are designated to protect the best examples of significant natural habitats and populations of species.
Special Area of Conservation (SAC)	International designation implemented under the Habitats Regulations for the protection of habitats and (non-bird) species. Sites designated to protect habitats and species on Annexes I and II of the Habitats Directive. Sufficient habitat to maintain favourable conservation status of the particular feature in each member state needs to be identified and designated.
Special Protection Area (SPA)	Sites designated under EU Directive (79/409/EEC) to protect habitats of migratory birds and certain threatened birds under the Birds Directive
Stakeholder	Person or organisation with a specific interest (commercial, professional or personal) in a particular issue.
Sustainability	The principle that the environment should be protected in such a condition and to such a degree that ensures new development meets the needs of the present without

Term (acronym)	Definition
	compromising the ability of future generations to meet their own needs.
Temporary or permanent effects	Effects may be considered as temporary or permanent. In the case of wind energy development the application is for a 30 year period after which the assessment assumes that decommissioning will occur and that the site will be restored. For these reasons the development is referred to as long term and reversible.
The Applicant	Rampion Extension Development Limited (RED)
Transboundary effects	Assessment of changes to the environment caused by the combined effect of past, present and future human activities and natural processes on other European Economic Area Member States.
United Nations	The United Nations is an international organization founded in 1945 to maintain global peace and security.
Water Framework Directive	A substantial piece of EU water legislation that came into force in 2000, with the overarching objective to get all water bodies in Europe to attain Good or High Ecological Status. River Basin Management Plans have been created which set out measures and potential mitigation to ensure that water bodies in England and Wales achieve 'Good Ecological Status'.

2.9 References

Arun District Council (2018) *Adoption Arun Local Plan 2011-2031* [online]. Available at: <https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n12844.pdf&ver=12984> [Accessed 18 Nov 2020]

Centre for Environment, Fisheries and Aquaculture Science, (2004). *Offshore Wind Farms: Guidance note for Environmental Impact Assessment In respect of FEPA and CPA requirements*. Version 2 - June 2004. Prepared by CEFAS on behalf of the Marine Consents and Environment Unit (MCEU)

Climate Change Act 2008, c.27 [online]. Available at: <https://www.legislation.gov.uk/ukpga/2008/27/contents> [Accessed 26 Nov 2020]

Department for Business, Energy & Industrial Strategy (BEIS) (2020a). *Energy White Paper: Powering our net zero future* [online]. Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future> [Accessed 9 Feb 2021]

Department for Business, Energy & Industrial Strategy (BEIS) (2020b). *End of coal power to be brought forward in drive towards net zero* [online]. Available at:

<https://www.gov.uk/government/news/end-of-coal-power-to-be-brought-forward-in-drive-towards-net-zero> [Accessed 4 Feb 2021]

Department for Business, Energy & Industrial Strategy (BEIS) (2020c). *Digest of UK Energy Statistics (DUKES): renewable sources of energy*. Chapter 6: Renewable sources of energy [online]. Available at: <https://www.gov.uk/government/statistics/renewable-sources-of-energy-chapter-6-digest-of-united-kingdom-energy-statistics-dukes> [Accessed 4 Feb 2021]

Department for Business, Energy & Industrial Strategy (BEIS) (2019a) *Offshore wind energy revolution to provide a third of all UK electricity by 2030* [online]. Available at: <https://www.gov.uk/government/news/offshore-wind-energy-revolution-to-provide-a-third-of-all-uk-electricity-by-2030> [Accessed 4 Feb 2021]

Department for Business, Energy & Industrial Strategy (BEIS) (2019b) *Industrial Strategy Offshore Wind Sector Deal* [online]. Available at: <https://www.gov.uk/government/publications/offshore-wind-sector-deal> [Accessed 9 Feb 2021]

Department for Business, Energy & Industrial Strategy (BEIS) (2017). *The Clean Growth Strategy: Leading the way to a low carbon future 2017* (as amended) [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700496/clean-growth-strategy-correction-april-2018.pdf [Accessed 26 Nov 2020]

Department of Energy and Climate Change (DECC), (2011a). *Overarching National Policy Statement for Energy (EN-1)*. July 2011. London: The Stationery Office

Department of Energy and Climate Change (DECC), (2011b). *National Policy Statement for Renewable Energy Infrastructure (EN-3)*. July 2011. London: The Stationery Office

Department of Energy and Climate Change (DECC), (2011c). *National Policy Statement for Electricity Networks (EN-5)*. July 2011. London: The Stationery Office

Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market (2001) *Official Journal* L83 [online]. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32001L0077> [Accessed 12 Nov 2020]

Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (Text with EEA relevance) (2009) *Official Journal* L140 [online]. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0028> [Accessed 12 Nov 2020]

Energy Act 2013, c.32 [online]. Available at: <https://www.legislation.gov.uk/ukpga/2013/32/contents/enacted> [Accessed 26 Nov 2020]

HM Government (2020). *Powering our Net Zero Future* [online]. Available at: <https://www.gov.uk/government/publications/energy-white-paper-powering-our-net-zero-future> [Accessed 4 Feb 2021]

HM Government (2018) *South Inshore and South Offshore Marine Plan* [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/726867/South_Marine_Plan_2018.pdf [Accessed 18 Nov 2020]

HM Government, (2009). *The UK Renewable Energy Strategy*. CM 7686

HM Treasury (2020) *National Infrastructure Strategy* [online]. Available at: <https://www.gov.uk/government/publications/national-infrastructure-strategy> [Accessed 4 Feb 2021]

Horsham District Council (2019) *Draft Horsham District Local Plan 2019-2036* [online]. Available at: <https://strategicplanning.horsham.gov.uk/consult.ti/LocalPlanReview/viewCompoundDoc?docid=10336756> [Accessed 26 Nov 2020]

Horsham District Council (2015) *Horsham District Planning Framework* [online]. Available at: https://www.horsham.gov.uk/_data/assets/pdf_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf [Accessed 18 Nov 2020]

Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended). (2017 No. 572). UK: The Stationery Office Limited

Institute of Environmental Management and Assessment, (2016). *Environmental Impact Assessment Guide to: Delivering Quality Development*. July 2016.

Institute of Environmental Management and Assessment, (2017). *Delivering Proportionate EIA. A Collaborative Strategy for Enhancing UK Environmental Impact Assessment Practice*.

Marine and Coastal Access Act 2009. (2009), c.23. UK: The Stationery Office Limited

Marine Management Organisation, (2014). *Seascape assessment for the South Marine Plan Areas: Technical Report (MMO 1037)*. June, 2014.

Mid-Sussex District Council (2018) *Mid Sussex District Plan 2014-2031* [online]. Available at: <https://www.midsussex.gov.uk/media/3406/mid-sussex-district-plan.pdf> [Accessed 18 Nov 2020]

Ministry of Housing, Communities and Local Government (2019) *National Planning Policy Framework* [online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf [Accessed 26 Nov 2020].

National Infrastructure Commission (2020). *Design Principles for National Infrastructure*. [online]. Available at: <https://nic.org.uk/app/uploads/NIC-Design-Principles.pdf> [Accessed 24 March 2021].

Planning Act 2008 (2008) [online]. Available at: <https://www.legislation.gov.uk/ukpga/2008/29/contents> [Accessed 11 Nov 2020]

Planning Inspectorate, (2017a). *Advice Note Three: EIA consultation and notification* (Version 7).

Planning Inspectorate (2020a). *Advice Note Seven: EIA: Process, Preliminary Environmental Information, and Environmental Statements* (Version 7). [Online]. [Accessed 09 November 2020]. Available from: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2017/12/Advice-note-7.pdf>.

Planning Inspectorate (2020d). *Scoping Opinion: Proposed Rampion 2 Offshore Wind Farm* [online]. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp->

[content/ipc/uploads/projects/EN010117/EN010117-000045-EN010117%20Scoping%20Opinion.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444444/content/ipc/uploads/projects/EN010117/EN010117-000045-EN010117%20Scoping%20Opinion.pdf) [Accessed 26 Nov 2020]

Planning Inspectorate, (2017b). *Advice Note Ten: Habitats Regulations Assessment relevant to nationally significant infrastructure projects (Version 8)*

Planning Inspectorate, (2017c). *Advice Note Eleven: Working with public bodies in the infrastructure planning process (Version 4)*

Planning Inspectorate, (2017d). *Advice Note Eighteen: The Water Framework Directive (Version 1)*

Planning Inspectorate, (2018). *Advice Note Nine: Rochdale Envelope (Version 3)*.

Planning Inspectorate, (2020c). *Advice Note Twelve: Transboundary Impacts and Process (Version 5)*.

Planning Inspectorate, (2020b). *Advice Note Six: Preparation and submission of application documents (Version 9)*.

Planning Inspectorate, (2019). *Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects (Version 2)*.

Rampion Extension Development (RED) (2020) *Rampion Extension Development Limited Rampion 2 Offshore Wind Farm Environmental Impact Assessment Scoping Report* [online]. Available at: <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010117/EN010117-000006-EN010117%20-%20Scoping%20Report.pdf> [Accessed 26 Nov 2020]

RED (2021) *Draft Report to Inform Appropriate Assessment (RIAA)*.

RenewableUK and Natural Environment Research Council, (2013). *Cumulative Impact Assessment Guidelines – Guiding Principles For Cumulative Impact Assessment in Offshore Wind Farms*. RUK13-020-2

South Downs National Park Authority (2019) *South Downs Local Plan* [online]. Available at: https://www.southdowns.gov.uk/wp-content/uploads/2019/07/SD_LocalPlan_2019_17Wb.pdf [Accessed 18 Nov 2020]

The Climate Change Act 2008 (2050 Target Amendment) Order 2019 (2019 No.1056). UK: The Stationery Office Limited

UNFCCC (1997) *Kyoto Protocol to the United Nations Framework Convention on Climate Change* [online] Available at: <https://unfccc.int/documents/2409> [Accessed 11 Nov 2020]

UNFCCC (2012) *Doha amendment to the Kyoto Protocol* [online] Available at: <https://unfccc.int/process/the-kyoto-protocol/the-doha-amendment> [Accessed 26 Nov 2020]

United Nations (1992) *United Nations Framework Convention on Climate Change* [online] Available at: <https://unfccc.int/process-and-meetings/the-convention/what-is-the-united-nations-framework-convention-on-climate-change> [Accessed 11 Nov 2020]

United Nations (2015) *Paris Agreement* [online] Available at: https://unfccc.int/files/essential_background/convention/application/pdf/english_paris_agreement.pdf [Accessed 12 Nov 2020]

West Sussex County Council (2018) *West Sussex Joint Minerals Local Plan* [online]. Available at: https://www.westsussex.gov.uk/media/11736/mlp_adoption.pdf [Accessed 3 Dec 2020]

West Sussex County Council (2014) *West Sussex Waste Local Plan* [online]. Available at: https://www.westsussex.gov.uk/media/3241/waste_local_plan_april2014.pdf [Accessed 3 Dec 2020]

Woodward, I., Thaxter, C. B., Owen, E., and Cook, A. S. C. P., (2019). *Desk-based revision of seabird foraging ranges used for HRA screening. Report of work carried out by the British Trust for Ornithology on behalf of NIRAS and The Crown Estate*. BTO Research Report No. 724. The British Trust for Ornithology, Thetford

