

Report to	<b>Planning Committee</b>
Date	<b>8 August 2013</b>
By	<b>Director of Planning</b>
Title of Report	<b>Rampion Offshore Wind Farm Local Impact Report and Written Representation</b>
Purpose of Report	<b>To agree the SDNPA submission to the Planning Inspectorate</b>

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**Recommendation: That the SDNPA Issue the appended response to the Planning Inspectorate for consideration in the Public Examination**

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**1. Introduction and Summary**

- 1.1 E.ON submitted an application to the Secretary of State on 25 March 2013 to construct up to 175 off-shore wind turbines, approximately 14km off the Sussex Coast, in a development known as Rampion. As a Nationally Significant Infrastructure Project the proposal will be assessed by the Planning Inspectorate through a public examination and subsequently determined by the Secretary of State.
- 1.2 The first stage of the examination is the opportunity to submit the South Downs National Park Authority's (SDNPA) considerations regarding the likely impact of the proposal upon the National Park (the Local Impact Report) in addition to any other comments considered appropriate (the Written Representation). The deadline for the Local Impact Report is 9 August 2013 and the Written Representation 15 August 2013.

**2. Background**

- 2.1 The SDNPA was consulted as a relevant Authority at pre-application stage responding as set out below. This including a detailed response to the E.ON draft Environmental Statement.

Consultation on EIA scoping opinion	10 October 2010
Public consultation	Planning Committee April 2012
Consultation on draft environmental statement	Planning Committee August 2012
Consultation on adequacy of E.ON's pre-application E.ON's consultation	14 March 2013
Consultation on relevant representation	10 May 2013

- 2.2 Now that the application has been submitted it is the Planning Inspectorate, on behalf of the Secretary of State, which undertakes and sets the timetable for the examination and consults the SDNPA. The current consultation, for the Local Impact report and Written Representation, will form the principal written evidence of the SDNPA and be utilised by the Planning Inspectorate to inform the key topics considered by the examination hearings as set out in the examination timetable:

Due Date	Item
25 July 2013	Examination Panel issue first questions
9 August 2013	SDNPA Local Impact Report Statement of Common Ground
15 August 2013	Statement of Common Ground SDNPA Written Representation Response to Examination Panels first questions Comments on Development Consent order
28 and 29 August 2013	Open hearing on Development Consent order
11 and 12 September 2013	Open hearing (subject tbc)
24 September 2013	Examination Panel issue second questions
25 and 26 September 2013	Site Visits
15 October 2013	Response to Examination Panels second questions
30 and 31 October and 1 November 2013	Issue Specific Hearings (subject tbc)
6 and 7 November 2013	Issue Specific Hearing on Development Consent Order
3 and 4 December	Issue Specific Hearings (subject tbc)
5 and 6 December	Issue Specific Hearing on Development Consent Order

### 3. The SDNPA Response

- 3.1 The proposed SDNPA joint Local Impact Report and Written Representation is attached as **Appendix I**.
- 3.2 The proposed response begins by setting out information regarding the SDNP, the power and purpose of its designation and the duty of regard.
- 3.3 Thereafter, 12 key considerations have been set out:
- The SDNPA supports the right renewable technology in the right place;
  - The proposal does not, and never has, given appropriate weight to the National Park designation;
  - There are significant concerns that an inadequate assessment of alternative mechanisms to deliver the proposal has been undertaken to demonstrate the requisite exceptional circumstances to make the proposal acceptable;
  - As a nationally designated landscape the appropriate barometer for assessment is whether the proposal conserves and enhances the SDNPA;
  - The SDNPA promotes the attachment of significant weight to the landscape character of the SDNP;
  - The considerations of the SDNPA must be given significant weight in the assessment and determination of the proposal;
  - Appropriate consideration has not been given to the wider impact of the engineering and ancillary works required to construct the proposed cable route;
  - The sense of tranquilly and openness at the heritage coast would be lost due to the permanent introduction of man made structures in the seascape enclosing the view and harming landscape character;
  - The impact of the proposed cable route, with an up to 30m working width, upon chalk grassland is not adequately considered resulting in a lack of confidence in the proposed restoration;
  - Any impact upon the SDNP must be mitigated to ensure the SDNP is conserved or enhanced;
  - The permanent impact upon the SDNP and its communities must be mitigated via appropriate community benefits; and
  - The Development Consent Order must respect the National Park designation and the Governments recent decision to make the SDNPA the Local Planning Authority;
- 3.4 In addition, comments and concerns, underpinned by technical evidence and primarily relating to the submitted Environmental Statement are outlined for the following issues: Assessment of Alternative Routes; Landscape; Ecology; Water; Heritage Assets; Coastal

Impact upon the SDNP; Land Quality; Trees; Geology; Decommissioning; Access; Construction Management; Engineering; Socio-Economic issues; and Waste.

#### **4. Next Steps**

- 4.1 Once agreed the joint Local Impact Report and Written Representation will be submitted to the Planning Inspectorate and will be utilised by the Examination Panel to inform both their assessment of the proposal and the topics chosen for greater scrutiny at the issue specific examination hearings.
- 4.2 In addition, dialogue is continuing with E.ON regarding amendments to the DCO and there will be an opportunity to submit either agreed amendments or the SDNPA suggested amendments to the Planning Inspectorate at the appropriate juncture in the examination process.
- 4.3 Furthermore, dialogue is continuing with E.ON regarding the delivery of mitigation through community benefits and there will be an opportunity to submit either an agreement or the SDNPA suggested agreement to the Planning Inspectorate at the appropriate juncture in the examination process.

#### **5. Resources**

- 5.1 Participation in the Planning Inspectorate examination process will be met through the utilisation of existing SDNPA resources.

#### **6. Risk management**

- 6.1 It is considered that there are no risks arising from this report.

#### **7. Crime and Disorder Implication**

- 7.1 It is considered that the proposal does not raise any crime and disorder implications.

#### **8. Human Rights Implications**

- 8.1 This proposed consultation response has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

#### **9. Equalities Act 2010**

- 13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

#### **10. External Consultees**

- 10.1 None.

**TIM SLANEY**  
**Director of Planning**

Contact Officer: David Cranmer, Recovered Services Manager  
Tel: 01730 234120  
email: David.cranmer@southdowns.gov.uk  
Appendices I. Rampion Off-Shore Wind Farm Local Impact Report and Written Representation  
SDNPA Consultees Director of Planning and Legal Services

Background Documents Application documents submitted by E.ON  
<http://infrastructure.planningportal.gov.uk/projects/south-east/rampion-offshore-wind-farm/>

Response to Public Consultation (April 2012)  
([http://www.southdowns.gov.uk/\\_data/assets/pdf\\_file/0007/283129/12th-April-2012-Planning-Committee.pdf](http://www.southdowns.gov.uk/_data/assets/pdf_file/0007/283129/12th-April-2012-Planning-Committee.pdf))

Response to draft Environmental Statement  
([http://www.southdowns.gov.uk/\\_data/assets/pdf\\_file/0018/283131/9th-August-2012-Planning-Committee-2.pdf](http://www.southdowns.gov.uk/_data/assets/pdf_file/0018/283131/9th-August-2012-Planning-Committee-2.pdf))

Adequacy of Consultation Response  
([http://www.southdowns.gov.uk/\\_data/assets/pdf\\_file/0004/323761/Adequacy-of-Consultation-Response-March-2013.pdf](http://www.southdowns.gov.uk/_data/assets/pdf_file/0004/323761/Adequacy-of-Consultation-Response-March-2013.pdf))

Submission of Relevant Representation  
(<http://www.southdowns.gov.uk/planning/rampion-offshore-windfarm>)