

# **Rampion 2 Offshore Wind Farm**

## **Local Impact Report**



**PINS REF: EN010117**

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### **A: Plans showing proposal in context of the South Downs National Park**

**Executive Summary**

The South Downs National Park (SDNP) lies to the north of the proposed offshore array, comprising the higher ground and open downland above the Coastal Plain and includes the Heritage Coast east of Seaford to Eastbourne.

One-third of the proposed onshore cable corridor would run through the National Park. The offshore array itself, further construction activity including the temporary construction compound at Washington would take place in the setting of the National Park.

The table below sets out the South Downs National Park Authority’s view on the local impacts associated with the proposed scheme, as submitted. This table assumes the delivery of all currently proposed mitigation measures. The table is ordered by topic area and represents a summary of the points made in Section 6 of this Local Impact Report.

<b>Topic Area</b>	<b>Positive Impact</b>	<b>Neutral or Limited Impact</b>	<b>Negative Impact</b>
Principle of Major Development in a National Park			
Seascape			
Landscape			
Tranquillity			
Dark Night Skies			
Biodiversity			
Cultural Heritage inc. Archaeology			
Renewable Energy			
Water Environment inc. Drainage and Flood Risk			
Highways inc. Public Rights of Way			
Residential Amenity			
Open Access Land and Public Open Space			
Geology and Soils inc. contaminated land			
Material Assets and Waste			
Socio-economic			

## **I. Introduction and Terms of Reference**

- 1.1 This Local Impact Report (LIR) relates to the proposed Rampion 2 Offshore Wind Farm Project, as it relates to the administrative area of the South Downs National Park. The South Downs National Park Authority (SDNPA) is the organisation responsible for promoting the statutory purposes of the National Park (see section 3 of this report) and the interests of the people who live and work in it. SDNPA is the Local Planning Authority for the National Park.
- 1.2 The offshore array would be within 24 kilometres of the SDNP at Seaford Head, as well as visible from various points throughout from Beachy Head in the east to the Trundle in the west. The onshore cable corridor runs through the SDNP – entering at Hammerpot, just north of the A27 and exiting at Wiston. This equates to approximately one-third of the overall cable route (Appendix A).
- 1.3 In preparing this document the SDNPA have had regard to the purpose of LIRs as set out in Section 60(3) of the Planning Act 2008 (as amended) and the guidance given in the Planning Inspectorate’s Advice Note One: *Local Impact Reports*, published in 2012. The SDNPA are aware that, as set out in this Advice Note, a LIR should not seek to balance or weigh the impacts upon the National Park but should clearly set out positive, neutral and negative impacts.
- 1.4 This LIR’s main purpose is to identify Development Plan policies relevant to the proposed development and the extent to which the proposed development accords, or does not accord, with these policies, requirements and obligations. This report does this under topic-based headings addressing the impacts of the scheme, identifying key issues for the local community and the SDNPA followed by providing commentary on the extent to which the proposed Development Consent Order (DCO) addresses these issues.

## **2. Site Description**

- 2.1 Rampion 2 Offshore array would be to the west and south of the existing Rampion Offshore Wind Farm, located in the English Channel between the coastal landmarks of Selsey Bill and Brighton. The southern boundary of the SDNP in this location largely follows the upper extent of the Coastal Plain (broadly following the A27 highway between Chichester and Brighton, after which it drops southwards to run along the mean low water mark (MLWM) between settlements from Brighton to Seaford, before continuing along the MLWM to Eastbourne (East Sussex). The Zone of Theoretical Visibility for the array is mainly located within Landscape Character Types A: Open Downland, B: Wooded Estate Downland, G: Major Chalk Valley Sides and S: Shoreline (Document Ref APP- 088).
- 2.2 The area of the SDNP from Seaford to Beachy Head are designated Heritage Coast. The Seven Sisters and Seaford Head (the closest points within the National Park to the Offshore proposals) are major landscape features, which are internationally renowned and visited by thousands each year.
- 2.3 The onshore cable connecting the array makes landfall at Climping (West Sussex) running north-eastwards to Bolney (West Sussex), where it would connect to the National Grid. The central third of the cable corridor would run through the SDNP for a distance of approximately 13km.
- 2.4 The 13km stretch of cable corridor through the National Park includes the following designations along parts of the route (Appendix A):
  - i) Ancient Woodland (Beech Copse and Michelgrove Park)
  - ii) Sullington Hill Local Wildlife Site (LWS)
  - iii) Multi-period Archaeological Notification Areas (Black Patch and Cock Hill,

Chantry Bottom, Sullington Hill and Kithurst Hill)

- iv) Numerous Ancient/Veteran trees along the route
  - v) Local Green Space at Washington (Jockeys Meadow and Recreation Ground).
- 2.5 The Order Limits are also adjacent to Itford Down Scheduled Monument.
- 2.6 The majority of the land within the onshore cable corridor is farmland, both arable and pasture across a mix of large estates and smaller landholdings. As indicated above there are areas of woodland and recreational spaces also within the proposed Order Limits. Numerous Public Rights of Way (PRoW) run within or adjacent to the corridor, including the South Downs Way National Trail (SDW).
- 2.7 The route passes through five distinct Landscape Character Types as defined by the South Downs Integrated Landscape Character Assessment (2020):
- i) A3 – Arun to Adur Open Downs
  - ii) B4 – Angmering and Clapham Wooded Estate Downland
  - iii) I3 – Arun to Adur Downs Scarp
  - iv) J3 – Arun to Adur Scarp Footslopes
  - v) R1 – South Downs Upper Coastal Plain.
- 2.8 There is no relevant planning history given that the DCO limits within the National Park largely encompass greenfield land.

### 3. The Proposal

- 3.1 The applicant's Environmental Statement, at Chapter 4 (Document Reference APP-045) details the proposal. Approximately one-third of the cable route is within the SDNP. The construction compound at Washington and the offshore array are in the setting of the SDNP. A series of plans have been provided in Appendix A to show the proposed scheme in the context of the SDNP.
- 3.2 A summary of the key points of the scheme of particular relevance to the National Park are set out below (and shown on some of the Plans in Appendix A):
- Up to 90 wind-turbine generators (WTG) of a maximum height of 325m to blade tip,
  - Up to 3 offshore substations,
  - Buried onshore cable corridor comprising a maximum of 4 transmission cables, installed primarily through open-cut methods,
  - Small areas of discrete or trenchless crossing with associated drilling launch and exit pits (in accordance with application document 7.2 Appendix 1),
  - Joint bays – subsurface structures with associated subsurface link box and junction box (number within the SDNP currently not confirmed),
  - Temporary haul road and construction accesses,
  - 5 construction compounds, of which the central compound (Washington) would comprise an area of approximately 3.91 hectares within 10 metres of the National Park boundary,
  - Removal of hedgerows and tree belts to facilitate cable corridor construction and programme for replanting where possible, and
  - Permanent operational access from numerous points along the cable corridor,

which may include minor works to access points and the surfacing of routes.

- 3.3 For purposes of comparison, the WTG associated with Rampion I reach a maximum height of 140m to blade tip, with the array located between 13km and 25km from the Sussex Coast. The landfall point for Rampion I is at Broadwater, approximately 16km from the proposed landfall point, whilst the existing and proposed cable corridors would be approximately 7.5km apart at their nearest point.

#### **4. The South Downs National Park**

##### Designation of the South Downs National Park (SDNP)

- 4.1 The South Downs National Park was established as a National Park in 2010 and the SDNPA became the Planning Authority for the National Park on 1 April 2011. The South Downs National Park contains over 1,600 sq km of England's most iconic and valued lowland landscapes, stretching from Winchester in the west to Eastbourne in the east.
- 4.2 As a result of the offshore array being visible from many locations, there is potential for widespread impacts across the SDNP. For the purpose of the Local Impact Report, the SDNPA has focussed on those areas closest to the array (i.e. along the Heritage Coast) and the area directly affected by the cable corridor. The open downland and shoreline to the east of the proposed array, given the opportunity it affords for open-air recreation and its position in relation to centres of population, make it particularly desirable and available to experience the natural beauty and cultural heritage of the National Park. This is particularly significant given the dramatic chalk cliffs and wave-cut platform, combined with the seascape and chalk grassland, which make it instantly recognisable as well as being a dramatic and outstanding feature.
- 4.3 The close relationship between the scarp footslopes, woodland and upper coastal plain with the Chalk Downs themselves, in the area directly affected by the cable corridor, is also of fundamental importance.

##### Statutory Purposes and Duty

- 4.4 The National Parks and Access to Countryside Act 1949, as amended by the Environment Act 1995, sets the following statutory purposes and duty for National Parks:
1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
  2. To promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public.
- 4.5 The SDNPA also has a duty when carrying out these statutory purposes:  
To seek to foster the economic and social well-being of the local communities within the National Park
- 4.6 In addition, under Section 11 of the National Parks and Access to the Countryside Act 1949, recently amended by Part 12, Section 245 (3) of the Levelling Up and Regeneration Act 2023, there is a duty placed on any relevant authority, such as the Planning Inspectorate, in carrying out their functions to 'seek to further' the purposes of the National Park. This ensures that relevant authorities take account of these purposes when coming to decisions or carrying out their activities relating to or affecting land within these areas. It recognises that a wide range of bodies have a direct influence over the future of National Parks in terms of policy, project implementation, casework decisions, land ownership and management. It also

acknowledges that the fulfilment of National Parks' statutory purposes rests not only with those bodies directly responsible for their management but that it also relies on effective collaborative working.

- 4.7 Where there is a conflict between the statutory purposes, statute (section 11A(2) of the 1949 Act requires any relevant authority, when exercising or performing functions which relate to or affect land in a National Park, to attach greater weight to the purpose of 'conserving and enhancing'. Giving priority to the first purpose of the National Park is known as the *Sandford Principle*.
- 4.8 Within the SDNP boundary area, the SDNPA is the Local Planning Authority and responsible for all planning decisions. There are Section 101 agreements under the Local Government Act (1972) with Horsham District Council (as well as other Councils outside of the remit of the DCO) who determine some planning applications within Horsham District on behalf of the SDNPA.

Highest Status of Protection

- 4.9 National Parks have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty (Overarching National Policy Statement for Energy (EN-1), 2011 paragraph 5.9.9 and NPPF 2023, paragraph 176).
- 4.10 The Overarching National Policy Statement for Energy (EN-1) states at paragraph 5.9.12 that the duty to have regard to the purposes of nationally designated areas, such as National Parks, also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. Paragraph 5.9.12 states that the aim should be to avoid compromising the purposes of the designation and that development proposals should be designed sensitively given the various siting, operational and other relevant constraints.
- 4.11 A suite of revised draft National Policy Statements for Energy were published in November 2023. Overarching National Policy Statement EN-1 states at paragraph 1.6.2 that for any application accepted for examination prior to the publication of the 2023 amendments – as is the case here – the 2011 suite of NPS's should have effect in accordance with the terms of those NPS.

English National Parks and the Broads: UK Government Vision and Circular 2010

- 4.12 This DEFRA Circular sets out a vision for the English National Parks for 2030 and guidance on the key statutory duties of the National Park Authorities and how they should be taken forward, together with the contributions needed from others. The Circular recognises that whilst the lead role in the achievement of National Park purposes rests with National Park Authorities, the active support and co-operation of all Government and public bodies and statutory undertakers whose activities affect the Parks is also vital to the achievement of Park purposes. The Circular notes that many of these will be 'relevant authorities' with obligations under section 11A of the 1949 Act to have regard to the relevant Park purposes when coming to decisions or carrying out their activities relating to or affecting land within the Parks. The Circular states that the Government expects those bodies affected to give due weight to their obligations under this legislation.

Special Qualities

- 4.13 A crucial starting point for managing change in the future is capturing the essence of what makes the National Park important now – its special qualities. Every National Park has developed a list of the things that make it special, both as a baseline for measuring changes over time and to hold the National Park Authority - and its partners - to account for their contributions to its future. Documenting the Park's special qualities is required by paragraph 21 of the *English National Parks and the*

*Broads: UK Government Vision and Circular 2010.*

- 4.14 The 7 special qualities of the South Downs National Park are given below in Figure One (Document Reference APP-036). The special qualities do not sit in isolation, rather, they are interconnected and mutually reinforcing. Landscape is the key to all of the other special qualities and is therefore shown at the centre of Figure One. In SDNPA's view the aim behind National Park designation must be to conserve and enhance all seven special qualities together. The South Downs Local Plan and Partnership Management Plan (both referenced below) are the two statutory documents produced by the SDNPA to deliver this conservation and enhancement.



**Figure One** – The Special Qualities of the South Downs National Park

**5. South Downs Local Plan and Other Relevant Local Policy**

South Downs Local Plan (Document Reference APP-036)

- 5.1 The SDNPA is the Local Planning Authority for the National Park and the statutory development plan for the National Park is the South Downs Local Plan. This was adopted in July 2019 and sets out how the SDNPA will manage development to 2033. This Local Plan is the first to plan for the South Downs National Park as a single entity.
- 5.2 Section 6 of this LIR sets out the planning issues associated with the proposed development and the Local Plan policies that are relevant. It also sets out the extent to which the proposed development accords, or does not accord, with these Local Plan policies.



Relevant Neighbourhood Plan

5.3 The proposed development passes through four designated Neighbourhood Plan areas, which are all subject to an adopted Neighbourhood Plan. These are as follows:

- Angmering Neighbourhood Plan 2014
- Patching Neighbourhood Development Plan 2018
- Storrington, Sullington and Washington (SSW) Neighbourhood Plan 2018 – 2031
- Findon Neighbourhood Development Plan 2016 – 2035 (amended 2020)

Angmering, Patching and the SSW Neighbourhood Plans cover areas both within and outside of the SDNP. Section 6 of this LIR sets out which policies are relevant and the extent to which the proposed development does or does not accord with these policies, within the SDNP area only.

Minerals and Waste Plan (Document Reference APP-036)

5.4 The SDNPA and West Sussex County Council (WSCC) formally adopted the joint Waste Local Plan in 2014. The SDNPA and WSCC also worked in partnership to produce the West Sussex Joint Minerals Local Plan (JMLP), which was adopted in 2018 and includes a Soft Sand Review, adopted in 2021.

5.5 The relevant Objectives and Policies of the JMLP are:

- Strategic Objective 5 – To safeguard potential economically viable mineral resources from sterilisation
- Policy M2 – Soft Sand (extraction)
- Policy M5 – Clay (extraction)
- Policy M6 – Building Stone (extraction)
- Policy M9 – Safeguarding Minerals (criterion (b))

5.6 With respect to these Plans, WSCC will provide detailed comments, however the SDNPA have also taken these matters into consideration and those comments are included in the assessment below.

Other Relevant Local Policy (Document Reference APP-056)

*The South Downs National Park Partnership Management Plan 2020-2025*

5.7 The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. The Partnership Management Plan sets out the overarching five-year strategy for the management of the South Downs National Park. It brings together and coordinates the aspirations of many different partners who help contribute towards the purposes for which the National Park was designated.

5.8 The Plan consists of a vision of where the National Park Authority would like to get to by 2050, with 10 overarching outcomes and 21 priorities (within those outcomes) for the next five years. The outcomes and priorities work together and have equal importance. The Partnership Management Plan is a material consideration in the determination of planning applications and NSIPs.

5.9 Of particular relevance to this proposal, is under the heading ‘The Climate Emergency’, where it states, “There is an urgent need to decarbonise transport, and to roll out energy efficiency and renewable energy in ways that are appropriate in these

*special landscapes*”. Furthermore, under the heading ‘New Housing and Infrastructure’, it states, “*National infrastructure schemes must take far better account of protected landscapes: There are an increasing number of proposals for new national infrastructure including road and rail schemes, pipelines and cable routes that could cut through the National Park. Solutions must be found to avoid or reduce the impact of such schemes and to achieve net gain for the environment.*”

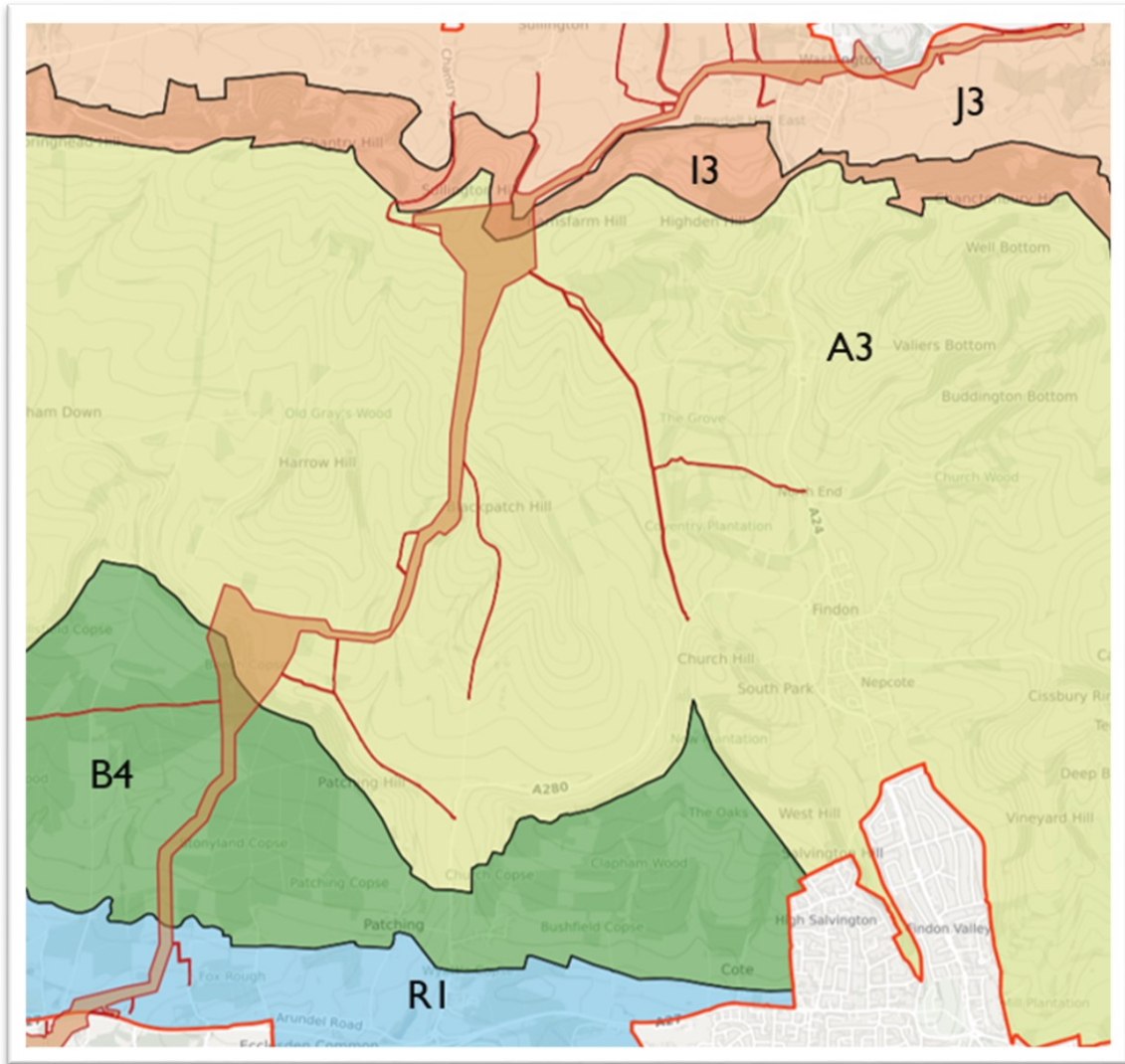
5.10 In addition, the following outcomes and priorities are relevant to this proposal:

- Outcome 1: Landscape and Natural Beauty
  - Priority 1.1 – Protect Landscape Character. To protect and enhance the natural beauty and character of the SDNP and seek environmental net-gain from any infrastructure projects.
  - Priority 1.2 – Create Green Infrastructure. To improve green and blue infrastructure to deliver nature recovery networks and connect people to nature within and around the SDNP.
- Outcome 2: Increasing Resilience
  - Priority 2.2 – Improve Trees and Woodland. To improve the resilience, quality and quantity of trees and woodlands in the National Park, and ensure that the right tree is planted in the right place.
- Outcome 3: Habitats and Species
  - Priority 3.1 – Join up Habitats. To create, restore and improve areas of priority habitat to be more, bigger, better, and joined up at a landscape scale.
- Outcome 4: Arts and Heritage
  - Priority 4.1 – Conserve Heritage. To increase conservation, awareness, access to and understanding of South Downs cultural heritage.
- Outcome 5: Outstanding Experiences
  - Priority 5.2 – Improve Accessibility. To improve accessibility through a network of high quality routes connecting communities with the landscape, heritage, attractions and transport hubs and gateways.

*South Downs Integrated Landscape Character Assessment*

5.11 The South Downs Integrated Landscape Character Assessment (SDILCA) was last updated in 2020. It is an aid to decision making, helping us to understand the landscape, what is important and special about it, and how it may change in the future. As a document it is intended to guide change and development so that it does not damage the characteristics or value of the landscape. It also helps us to identify ways that we can maintain and improve the character of a place. SDNPA uses the SDILCA to help understand the landscape character of the National Park and ensure that development proposals conserve and enhance landscape character within the National Park. The SDNPA considers it of key relevance to the assessment of this proposed development.

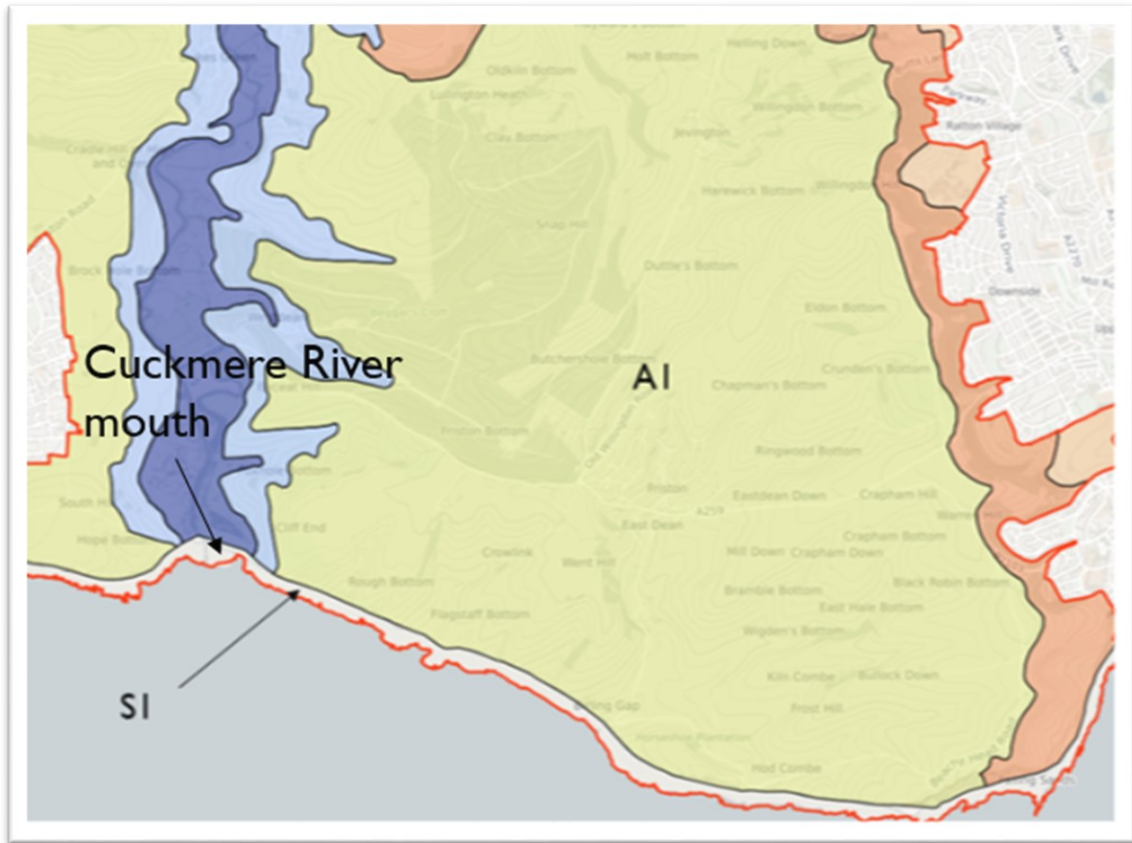
5.12 SDILCA defines 19 general landscape types within the National Park as well as 55 more place-specific ‘character areas’. The proposed cable corridor is within 5 general landscape types, namely Open Downland, Wooded Estate Downland, Major Scarps, Scarp Foothills and Upper Coastal Plain; and more specifically, A3 – Arun to Adur Open Downs, B4 – Angmering and Clapham Wooded Estate Downland, I3 – Arun to Adur Downs Scarp, J3 – Arun to Adur Scarp Foothills and R1 – South Downs Upper Coastal Plain. As shown for the National Park in Figure 2 below with the DCO limits shown shaded orange and running broadly north-south.



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**Figure 2** – Extract from South Downs Integrated Landscape Character Assessment (2020) – Area affected Onshore

5.13 The proposed WTG and offshore substations are also closely related to several general landscape types, but particularly the Shoreline and Open Downland, as shown in Figure 3 below.



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**Figure 3** - Extract from South Downs Integrated Landscape Character Assessment (2020) – Part of Area affected Offshore

5.14 The SDILCA helps inform the assessment of impacts on landscape character that would be caused by the development proposal. In the case of character areas AI, A3, R1 and SI offshore windfarms are highlighted as a particular pressure affecting views from the open downs, in the extensive views out across the sea to the horizon, and both to and from the dramatic white cliffs.

*People and Nature Network (PANN)*

5.15 The People and Nature Network – Green Infrastructure in the South Downs National Park and Wider South East (SDNPA, March 2020)<sup>1</sup> referred to as PANN, sets out how a wide range of partners can work together to plan positively for nature and natural services within and surrounding the protected landscapes of the South East. This is in recognition that nature, and the provision of natural ecosystem services do not follow administrative boundaries.

5.16 Area 8 – Coastal Plain and Area 12 – Coastal Communities are the most relevant Nature Capital Investment Areas (NCIA) to the proposed development. These NCIA's are identified as 'hot spots' for environmental interventions. The key relevant opportunities for each area are identified below:

*Area 8 – Coastal Plain*

- Opportunities for environment to support tourism and the local economy,
- Access improvements and circular walks,

<sup>1</sup> [PANN-AER-Section-3-Targeted-Investment-Areas.pdf \(southdowns.gov.uk\)](https://www.southdowns.gov.uk/PANN-AER-Section-3-Targeted-Investment-Areas.pdf)

- Potential to link habitat improvement and flood mitigation,
- Partnerships to work together in delivering green infrastructure improvements,
- Pollination services.

*Area 12 – Coastal Communities*

- Potential to improve capacity to regulate local climate, to meet high demand,
- Continue to work on the chalk Downland habitats created as part of the DEFRA Nature Improvement Area initiative.

Supplementary Planning Documents

- 5.17 The SDNPA adopted the Design Guide Supplementary Planning Document in July 2022. This is relevant to aspects of the proposal including accesses and services (in terms of the public realm).

*Technical Advice Note: Dark Skies (2021)*

- 5.18 The South Downs National Park is an International Dark Sky Reserve, designated in May 2016. This technical advice note sets out guidance on the SDNPA’s approach to lighting design and the protection and enhancement of dark skies. Its aim is to provide developers and planners with the necessary information to submit and assess lighting schemes which are appropriate to the landscape.

**6. Planning Issues and Relevant Policies and Guidance**

Principle of Development within and in the Setting of a National Park

- 6.1 The Overarching National Policy Statement for Energy EN-1 (paragraph 5.9.9, 2011) and the National Planning Policy Framework (paragraph 176, NPPF, September 2023) set out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.
- 6.2 EN-1 (paragraph 5.9.10), NPPF (paragraph 177) and Policy SD3 of the South Downs Local Plan (SDLP) explain that planning permission will be refused for major developments in the National Park, except in exceptional circumstances, and where it can be demonstrated that they are in the public interest. The policy explains that the consideration of such applications should include an assessment of:
- 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;
  - b) The cost of, and scope for, developing elsewhere outside the National Park, or meeting the need for it in some other way; and
  - c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 6.3 Then at paragraph 5.9.11 EN-1 states that if consent were to be given the Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.
- 6.4 SDLP Policy SD3 continues that if it is considered that exceptional circumstances exist and development would be in the public interest, all opportunities to conserve and enhance the special qualities of the National Park should be sought.
- 6.5 In response to what is often referred to as the ‘major development test’, the SDNPA acknowledges there is a critical need for renewable energy developments, which will help the country achieve its net zero targets. The applicant has sought to demonstrate the extent to which the cost of and scope for developing outside of the

National Park has been undertaken within their Planning Statement (Document Reference APP-036) as well as the Environmental Statement Alternatives Chapter (Document reference APP-044). Whilst the SDNPA recognise this has been undertaken, the cost and scope assessment remains superficial in places and substantial weight has not been given to the SDNP designation at every stage of the process, including the amount of onshore infrastructure required (as well as the location) when determining the scale and location of the offshore array. Further, whilst some costs have been attributed to alternative options which would mean a route outside of the National Park, these appear to be based on development parameters that are different to that of the proposed development (e.g. an array generating 1000MW as proposed, rather than the 1200MW scenario referred to in the Alternatives Chapter). The constraints experienced through the current proposed route – and the additional costs these are likely to bring in terms of additional mitigation - also do not seem to have been factored into this element of the assessment. These are detailed in the SDNPA's Written Representation, in particular section 3.

- 6.6 Policy SD3 and NPS EN-1 require, as part of this major development test, that any detrimental effects on the environment, landscape and recreational opportunities are assessed as well as identifying the extent to which they could be moderated. The SDNPA is concerned over the extent to which the detrimental effects to the environment, landscape and recreational opportunities have been moderated and whether the scheme will be carried out to high environmental standards and includes measures to enhance the environment. It is therefore considered the proposal would not accord with NPS EN-1, the NPPF and policies SD1 and SD3 of the SDLP.
- 6.7 NPS EN-1 at paragraph 5.9.12 and the NPPF at paragraph 176 also makes clear that the duty to have regard to the purposes of the SDNP also applies when considering applications for projects outside the Park boundaries, which may have impacts within it. "The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints." Whilst it is acknowledged that simply being visible should not be a reason for refusing consent, the SDNPA is concerned that the offshore array in this location and, particularly, at this scale has not adequately avoided compromising the purposes of designation. On this basis the proposal would not accord with NPS-EN-1, the NPPF and policy SD1 of the SDLP.

#### Landscape and Seascape

- 6.8 SDLP Policy SD1 explains that planning permission will be refused where development proposals fail to conserve the landscape or natural beauty of the National Park, unless, exceptionally, the benefits of the proposal demonstrably outweigh the great weight to be attached to these interests.
- 6.9 SDLP Policy SD4 states that development proposals will only be permitted where they conserve and enhance landscape character by demonstrating that, for example, proposals are informed by that landscape character, reflecting the context and type of landscape in which the development is located. The design, layout and scale of proposals should conserve and enhance existing landscape and seascape character features which contribute to the distinctive character, pattern and evolution of the landscape.
- 6.10 SDLP Policy SD5 requires a landscape-led approach and respect given to local character, to ensure proposals make a positive contribution to the overall character and appearance of the area.
- 6.11 SDLP Policy SD6 states proposals will only be permitted where they preserve the

visual integrity, identity and scenic quality of the National Park, in particular, conserving and enhancing key views within the National Park. The importance of and relationship to the Viewshed Characterisation and Analysis Study is flagged, as are the provision and enhancement of sequential views.

- 6.12 SDLP Policy SD11 states development proposals will be permitted where they conserve and enhance trees, hedgerows and woodlands and a proposed loss of trees, woodland and hedgerows should be avoided, and if demonstrated as being unavoidable, appropriate replacement or compensation will be required. In addition, opportunities should be identified and incorporated for planting of new trees, woodland and hedgerows. New planting should be suitable for the site conditions, use native species and be informed by and contribute to local character, and enhance or create new habitat linkages.
- 6.13 SDLP Policy SD18 seeks to protect the undeveloped nature of the National Park Coastline both within and outside the Sussex Heritage Coast and ensure that vulnerability to any new development is minimised.
- 6.14 SDLP Policy SD42 states that development proposals for new or improved infrastructure will only be permitted where the design minimises the impact on the natural beauty, wildlife and cultural heritage of the National Park.
- 6.15 The SDNPA considers the offshore elements of the development proposed are not in accordance with SDLP Policies SD1, SD3, SD4, SD5, SD6, SD18 and SD42 (and the associated Design Guide, Supplementary Planning Document, July 2022) nor would the proposal meet the statutory purpose of conserving and enhancing the National Park.
- 6.16 The SDNPA considers the onshore elements of the development proposed are not in accordance with SDLP Policies SD1, SD3, SD4, SD5, SD6, SD11 and SD42, nor would the proposal meet the statutory purpose of conserving and enhancing the National Park. Further, the SDNPA considers that in a protected landscape, where effects are considered to be ‘moderate adverse’ (as is suggested in several chapters within the Environmental Statement) this would be a significant negative effect. The significant negative impacts for both the offshore and onshore aspects are:
  - a) *Proximity to and protracted field of view of Wind Turbine Generators (WTG)*
  - b) *Overall height of WTG*

Whilst a number of design principles have been proposed these do not resolve the major significant adverse effects derived from the presence of the offshore development in this location. The Requirements do not appear to secure the proposed design principles. The Requirements in the dDCO do not clearly limit the number and height of the WTG in accordance with the worst case scenario used in the Environmental Statement, i.e. 65 turbines at 325m to blade tip. There is reference to a minimum gap between turbines, but it is not clear that this effectively limits the number of turbines permitted.

- c) *Cumulative effect of proposed WTG with existing Rampion I WTG*

Rampion I should not just be assessed as part of the baseline, as it has a temporary lifespan of approximately 25-30 years, that concludes well in advance of the lifespan associated with the proposed development. An assessment should be made of the cumulative effect of the existing and proposed development and of the proposed development alone. To include Rampion I in the baseline would be to underplay the landscape and visual effects.

- d) *In-combination effects of whole proposed development*

The lack of inadequate sequential testing viewpoints along the top of the South

Downs and the route of the South Downs Way (a National Trail) gives rise to a substantial underestimation of the extent of the adverse visual effects arising from the whole proposed development.

e) *Washington Construction Compound*

There is a lack of information provided regarding the use and appearance of the compound. There are insufficient views and images provided of the compound, which has the potential to be visible in considerable sequential views and have an adverse impact for a prolonged period of time.

f) *Proposed method of replanting and loss of landscape features*

g) *Inadequate mitigation and compensation measures including in respect of soil management*

The SDNPA has significant concerns over the likely success of the mitigation measures proposed, both in respect of the principle of the methods in this particular climate and landscape typology and based on actual experience from Rampion I. The latter demonstrated that the timescales associated with reinstatement were frequently longer than has been suggested.

Tranquillity

- 6.17 SDLP Policy SD7 states that direct impacts caused by changes in the visual and aural environment, as well as indirect impacts caused by development remote from the National Park should be taken into consideration.
- 6.18 Tranquillity is considered to be a state of calm and quietude and is associated with a feeling of peace. It relates to quality of life and there is good scientific evidence that it also helps to promote health and well-being. It is a perceptual quality to the landscape and is influenced by things that people can both see and hear in the landscape around them. It is one of the SDNP's Special Qualities.
- 6.19 The route of the cable corridor, as well as the shoreline and open downland of the Heritage Coast, are considered areas of high tranquillity. The significance of this has not been recognised or addressed in the development proposal (see SDNPA Written Representation Appendix A) or dDCO Requirements, therefore the development is not in accordance with policy SD7.

Dark Night Skies

- 6.20 The SDNP is an International Dark Sky Reserve, designated in May 2016. The quality of dark night skies is also influenced by what takes place beyond the National Park boundary. The SDNPA has worked with many Local Authorities to try to reduce light pollution in locations surrounding the National Park. SDLP Policy SD8 states that all opportunities to reduce light pollutions should be taken and should ensure that measured and observed sky quality in the surrounding area is not negatively affected. This extends to the construction aspects of the scheme, as well as the overall operation.
- 6.21 There is a lack of assessment of lighting effects on the National Park and the commitments/requirements do not acknowledge the need for additional protection measures during construction within the National Park. This includes impacts from the construction compound at Washington, which is on the boundary of the National Park. Lighting will be required during winter working hours and for HDD compounds (where there is a requirement for an onsite presence 24 hours a day). Therefore it is considered the development proposal, as it stands, does not accord with policies SD4 or SD8.



Biodiversity

6.22 SDLP Policy SD9 states proposals should:

- retain, protect and enhance features of biodiversity and geological interest (including supporting habitat and commuting routes) and ensure appropriate and long-term management of those features,
- contribute to the restoration and enhancement of existing habitats and the creation of linkages between sites to create and enhance local and regional ecological networks,

giving particular regard to ecological networks and areas with high potential for priority habitat restoration or creation.

6.23 SDLP Policy SD I I states that development proposals must provide adequate protection zones and buffers around hedgerows and other woodland and trees. A minimum buffer of 15 metres will be required between development and ancient woodland.

6.24 In summary, insufficient survey data, ecological assessment and mitigation measures have been compiled to demonstrate that there would be ‘no significant effects’ on terrestrial ecology features. There has been a conflation of compensation and delivery of biodiversity net gain, which are two distinct and separately required aspects. Whilst the ambition to provide biodiversity net gain is welcomed, it should be clear and distinct from any mitigation and compensatory work required in respect of the scheme.

6.25 Further, there is a lack of evidence to demonstrate the efficacy of mitigation measures such as notching of hedgerows and use of Horizontal Directional Drilling (HDD) will be successful when taking into consideration the specific ecological features and climate conditions of the South Downs National Park. The use of HDD in principle, as an alternative to open-cut trenches is supported, however if this method is not viable, the application documents are not clear on what other options remain, if any. The dDCO also does not secure the areas proposed for HDD in the National Park, i.e. Michelgrove Park and Sullington Hill. Therefore the proposed development is considered to be contrary to Policies SD9 and SD I I.

Cultural Heritage

6.26 SDLP Policy SD I 6 states that sufficient information in a Heritage Statement is required to allow an informed assessment of the significance of the archaeological heritage asset and its setting, and the impact of the proposed development on that significance. There will be a presumption in favour of preservation in-situ for Scheduled Monuments and other archaeological heritage assets of equivalent significance. Where there is unavoidable harm or loss of an archaeological asset’s significance, this will only be permitted where there is a clear justification in terms of public benefits arising from the development which outweigh the harm.

6.27 There is a high probability that the tract of land between Harrow and Blackpatch Hills contains archaeological features of high significance, however this has not yet been determined. The methods by which they would be preserved in-situ, should substantial or extensive features exist, have not been adequately set out. The SDNPA also consider the significance on a landscape-scale of the area as a prehistoric industrial landscape, with multi-period settlement activity, is of national significance.

6.28 Therefore, currently, the proposed development has not yet appropriately identified the significance and the package of mitigation measures proposed is inadequate, which leads to negative impacts and would be contrary to policy SD I 6.

- 6.29 SDLP Policy SD15 states that development within the setting of a conservation area will only be permitted where they preserve or enhance the character or appearance of the conservation area.
- 6.30 Washington Conservation Area is located adjacent to the Order Limits, which run along its northern extent, with some construction accesses noted within. Whilst the assessment of the impact on the setting of the Conservation Area is questionable, the conclusions in Chapter 25 of the Environmental Statement of the effects being minor adverse are agreed.

Water Environment including Drainage and Flood Risk

- 6.31 The SDNPA generally agrees with the conclusions of the applicant's Environmental Statement (Chapter 26 Water Environment – Application Reference 6.2.26) and therefore, the proposal accords with SDLP policies SD17 and SD49. However, please note the relevant comments under Biodiversity.
- 6.32 The SDNPA acknowledges that West Sussex County Council (WSCC), as the Local Highways Authority, will be making representations regarding the highway issues, as well as being the body responsible for Public Rights of Way. The SDNPA is the body responsible for the South Downs Way National Trail. The SDNPA wishes to make the following comments regarding the impact on the National Park.

Highways, including Public Rights of Way

- 6.33 SDLP Policy SD19 states that development proposals must demonstrate the continued safe and efficient operation of the strategic and local road networks, however please also note relevant comments under Landscape. SDLP Policy SD20 states proposals will be permitted provided that they maintain existing public rights of way and conserve and enhance the amenity value and tranquillity of, and views from, non-motorised travel routes and access land.
- 6.34 Chapter 23 of the Environmental Statement concerns Transport. This chapter has not referenced the relevant policies of the SDNP and we are therefore concerned that these policies, where they are specific to the National Park, have not been appropriately taken into account and the proposals are not in accordance with their requirements.
- 6.35 Many Public Rights of Way (PRoW) will be affected, through temporary closure and diversion, as a result of the proposal. It is not clear from the plans or the DCO how all of these will be affected, or for how long. The DCO also fails to identify which of the affected PRoW are in the National Park. This is not in accordance with the requirement to conserve and enhance the amenity value of these routes.
- 6.36 There are several public rights of way (PRoW) proposed for use as construction and haul roads, which are accessed via Long Furlong (A280). We are concerned that inadequate assessment has been undertaken regarding the safety of these accesses and the mitigation measures proposed would be in accordance with the above policies.

Residential Amenity

- 6.37 During construction, it is unfortunately inevitable that the works will give rise to localised disturbances to amenity. Whilst the impact on residential visual amenity is considered in the Landscape and Visual Impact Assessment (APP-171), this is mainly concerned with the impacts arising from the substation (outside of the National Park). The impacts on residential amenity for those living in the National Park, for example away from main roads, but affected by the construction routes, or the residents of Washington Village who will be affected by the construction compound on the A283, are considered to have been inadequately assessed and therefore are

not in accordance with SDLP Policy SD5 or the Design Guide, Supplementary Planning Document, July 2022.

Open Access Land and Public Open Space

- 6.38 As a National Park, the SDNPA is the Relevant Authority for Access Land. The area of scarp at Sullington Hill is designated Access Land. Users of this land are receptors when considering accordance with SDLP Policies SD4, SD6, SD7 and SD8 and so this matter is considered in the sections on landscape above.
- 6.39 There is no loss of public open space in the National Park associated with the proposal, as the Washington Recreation Ground would remain open during construction. Therefore the development complies with SDLP Policy SD46 and Policy 16 of the Storrington, Sullington and Washington Neighbourhood Plan, which both seek the protection of such space.

Geology and Soils, including Contaminated Land

- 6.40 The impacts regarding the impact on geology and soils have been covered in earlier sections relating to landscape and terrestrial ecology. The policy requirements can be found in SDLP Policies SD4 and SD9. There is concern that there would be negative impacts resulting from the proposed development (dealt with above under landscape and ecology).

Material Assets and Waste

- 6.41 Whilst the SDNPA is the Relevant Planning Authority for these matters, including planning for minerals extraction, we work in partnership with West Sussex County Council on these matters. Parts of the cable route are underlain by minerals, that are safeguarded through the JMLP, notably soft sand aggregate, which is a scarce, safeguarded resource. A Minerals Resource Assessment has not been provided, which would typically be expected upfront in these circumstances. Further, the applicant has only considered impacts to take place during construction, however the presence of a cable and the associated buffer would mean sterilisation of sites throughout the life of the windfarm. This would be contrary to the objectives and policies in the JMLP.

Socio-Economic

- 6.42 The SDNPA has a statutory duty to ‘foster the economic and social well-being of communities living in the National Park’. SDLP Policy SD34 states that development should promote and protect businesses linked to the National Park’s key sectors of farming, forestry and tourism. It is concerned that this has not been adequately addressed through the submission and therefore it is not clear whether the scheme would accord with this policy. Further known negative impacts on landscape character and access, which are both linked to this matter, are covered in earlier sections of this Report.

Renewable Energy

- 6.43 Policy SD51 deals only with minor-scale renewable energy proposals. The purpose of the policy is to support the development of appropriate new renewable energy that will improve the quality of life for those living in, working in or visiting the National Park, while seeking to conserve and enhance the special qualities. The principle of renewable energy and the need for such provision is recognised and supported in principle.

**SDNPA Comments on the draft Development Consent Order (Document Reference 3.1)**

- 7.1 The SDNPA consider there are a number of omissions from the Requirements, which

are mentioned in this LIR and accompanying Written Representation. The SDNPA also wishes to make the following observations on the draft Development Consent Order (dDCO) Requirements and Schedules. The remarks are set out in table format for ease of reference.

<b>Section / Article</b>	<b>Page</b>	<b>Detail</b>	<b>Comment / Query</b>
Part 1, Article 2	9	Definition of 'relevant planning authority'	<p>Whilst there is nothing in the wording that would exclude the SDNPA as a local planning authority, later sections of the DCO and elsewhere in the application submission have not recognised the SDNPA as such.</p> <p>Further, where aspects of the scheme, such as the Washington Construction Compound, would impact on the setting of the National Park, we would expect to be consulted on the details. This could be added as a criterion.</p>
Part 2, Article 6	13	Application and modification of legislative provisions – duty to seek to further the purposes of the National Park.	<p>Under Section 11 of the National Parks and Access to the Countryside Act 1949, recently amended by Part 12, Section 245 (3) of the Levelling Up and Regeneration Act 2023, there is duty placed on any relevant authority in carrying out their functions to 'seek to further' the purposes of the National Park. Legislative powers of a number of relevant authorities (including the Highway Authority) would pass to the applicant through the DCO. The SDNPA would therefore like to see this duty to be passed to the applicant as well.</p>
Part 3, Article 12	16	Allowing the undertaker temporarily close public rights of way in accordance with later Schedules.	<p>There appears to be some conflict between these powers and the Requirement later in the dDCO. If a further management/details of closure plan is required for agreement, why is this Article required? Further, it does not recognise that for the purposes of the South Downs Way National Trail, it would be the SDNPA and not the Highways Authority who are responsible.</p>
Part 4, Article 32	29	Temporary use of land for carrying out the authorised project – including removal of vegetation	<p>This is a blanket power without any real constraint on its use. Given the rather arbitrary nature of this power it makes it difficult to understand and assess the actual tree and hedgerow loss associated with the development.</p>

Part 4, Article 33	31	Temporary use of land for maintaining the authorised project	See comments immediately above and note this also includes the provision of means of access.
Part 7, Article 43	35	Felling or lopping of trees and removal of hedgerows	This is a blanket power without any real constraint on its use. Given the rather arbitrary nature of this power it makes it difficult to understand and assess the actual tree and hedgerow loss associated with the development.
Part 7, Article 44	36	Trees subject to tree preservation orders	This appears to suggest that trees subject to TPO are able to be felled without any further consideration. This is of significant concern where effort should be made to retain such trees.
Schedule 1, Part 3 Article 10	55	Programme of Works	The SDNPA requests the addition of the following:  The term 'commence' as used in paragraph (1) above includes any site preparation work, ecological mitigation and temporary hardstanding.
Schedule 1, Part 3, Article 12	55	Provision of Landscaping	The SDNPA requests the addition of the following:  The term 'commence' as used in paragraph (1) above includes any site preparation work, ecological mitigation and temporary hardstanding.
Schedule 1, Part 3, Article 14	56	Biodiversity Net Gain	Appendix 22.15 as referenced only really deals with the substation so is not fit for purpose for the remainder of the strategy.  Add 'Authority' after 'South Downs National Park'.
Schedule 1, Part 3, Article 16	56	Highway Accesses in the South Downs National Park	The SDNPA requests the addition of the following:  The term 'commence' as used in paragraph (1) above includes any site preparation work, including the removal or cutting back of vegetation.  The SDNPA also consider that Manual for Streets would be a more appropriate standard, given the status, location and use of the roads in question.
Schedule 1, Part 3, Article 19	57	Onshore Archaeology	The SDNPA would advise that given the need for high level oversight, this requirement should be approved by West Sussex County Council in consultation with the Relevant Planning Authority.

Article 12, Schedule 4, Part 1,	64	Public Rights of Way to be Temporarily Closed	Those PRow within the National Park should be highlighted as being within this National Park area, rather than Arun or Horsham District.
Article 12, Schedule 4, Part 2	65	Public Rights of Way to be Temporarily Closed and a Temporary Substitute Provided	As immediately above.
Article 12, Schedule 4, Part 3	69	Public Rights of Way to be temporarily Closed and a Temporary Substitute to be agreed	As immediately above.
Article 13, Schedule 5	69	Access to Works	As immediately above.
Article 43, Schedule 13, Part 1	153	Removal of Hedgerows	As immediately above.
Article 43, Schedule 13, Part 2	155	Removal of Important Hedgerows	As immediately above.
Article 46, Schedule 14 Section 2	156	Further Information	The SDNPA consider that 20 business days would be more appropriate. Although, the alternative is that if the request for further information is not honoured, the Local Planning Authority would be within its rights to refuse to discharge the requirement.