

16 February 2021

For the Attention of Gareth Leigh  
Head of Energy Infrastructure Planning  
Department for Business Energy and Industrial Strategy  
Level 3, Orchard 2  
1 Victoria Street  
London  
SW1H 0ET

**By email only**

**Email: [rampionoffshorewindfarm@planninginspectorate.gov.uk](mailto:rampionoffshorewindfarm@planninginspectorate.gov.uk)**

**Womble Bond Dickinson (UK) LLP**

3 Temple Quay  
Temple Back East  
Bristol  
BS1 6DZ

Tel: 0345 415 0000  
Fax: 0345 415 6900  
DX: 200561 Bristol Temple Meads

[richard.guyatt@wbd-uk.com](mailto:richard.guyatt@wbd-uk.com)  
Direct: +[REDACTED]

Our ref:  
RG1/RG1/374146.113  
Your ref:

Dear Mr Leigh

**Application to make a non-material change to The Rampion Offshore Wind Farm Order 2014**

**Reference: EN010032**

**Response to queries raised in relation to the proposed amendment order**

Thank you for your letter dated 5 February 2021 requesting further information about the proposed amendments to Article 17 (1) and Requirement 15 (1) of Part 3 of Schedule 1 of The Rampion Offshore Wind Farm Order 2014 ("the Order").

These amendments were proposed to more accurately reflect events that have taken place since the Order was made in 2014. We have explained each amendment more fully in turn below.

**The proposed amendments to Article 17 (1)**

We believe the proposed amendments to Article 17(1) are necessary to reflect the fact that the footpath diversion has now been constructed on site.

When the Order was first drafted in 2012, it was not certain whether or not the footpath diversion to Footpath 8T would be required. Consequently the original wording of Article 17 (1) contained an element of discretion for the Applicant that allowed the undertaker to extinguish the relevant section of Footpath 8T and provide a footpath diversion if it was considered necessary.

The revised wording of Article 17(1) is intended to achieve greater certainty and clarity in providing for the old section of Footpath 8T to be extinguished and for the new section of footpath (as specified in Schedule 3) to be explicitly created as part of the Order.

**The proposed amendments to Requirement 15 (1)**

It is believed the proposed amendments to Requirement 15 (1) and (2) are necessary to reflect that the specification for the new section of Footpath 8T has already been approved by the local planning authority at West Sussex County Council since the Order was made.

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The proposed amendment to Requirement 15 (1) removes the specification for the new section of Footpath 8T from the list of details which must be provided to the relevant highway authority before the relevant stage of the connection works can commence. Instead, Paragraph (2) simply provides for the specification for the new section of Footpath 8T to be agreed in advance with the relevant planning authority.

This change is to reflect the fact that, at the detailed design stage of the project, the new section of Footpath 8T was approved by the local planning authority as part of the landscaping scheme for the area to the east of Bolney substation, rather than by the local highway authority as part of the public rights of way diversion and closure scheme, as described in Requirement 15 (1).

The reason for this approach was that when it came to the construction stage, the substation at Bolney did not need to be as large as originally anticipated in the application for the Order. The reduction in the size of Bolney substation meant that a much shorter and more direct diversion to Footpath 8T could be provided to the east of the original footpath. It also meant that the revised footpath diversion could form part of the new landscaping scheme which was being proposed in this location as part of the Order. The revised route of the footpath diversion was agreed with the local planning authority (in consultation with the local highway authority) and the local planning authority was happy to approve the specification for the new section of Footpath 8T as part of the landscaping scheme for this area.

The specification for the new section of Footpath 8T has since been amended slightly from the design previously approved by the local planning authority as part of the landscaping scheme. Consequently, it has been agreed with the local planning authority that if the NMC application is approved by the Secretary of State, Rampion Offshore Wind Limited will re-submit a further specification to reflect the final design of the new section of Footpath 8T to the local planning authority for approval pursuant to Requirement 15 (2), as it is proposed to be amended.

#### **Concluding remarks**

We hope that this letter provides you with the information you require at this time.

If you have any queries or require any further information, please contact Richard Guyatt at Womble Bond Dickinson (UK) LLP on [REDACTED] or Richard.Guyatt@wbd-uk.com.

Yours sincerely

[REDACTED]

**Richard Guyatt**  
Partner  
Womble Bond Dickinson (UK) LLP

#### **Copy to**

1. Sian Evans, The Planning Inspectorate (by email)