

# Rampion 2 Wind Farm

## Category 5: Other Documents

### Other Consents and Licences

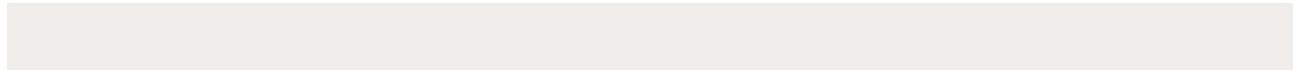
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# 1. Introduction

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## 1.1 Introduction

- 1.1.1 This document has been prepared to accompany an application by Rampion Extension Development Limited (hereafter 'RED') ('the Applicant') for a Development Consent Order (DCO) under Section 37 of the Planning Act 2008 for a new offshore windfarm 'Rampion 2' (the 'Proposed Development') with an output in excess of 100MW. The Proposed Development is adjacent to the Rampion Offshore Windfarm (referred to as 'Rampion 1') in the English Channel, 13km to 25km off the Sussex coast. The Proposed Development also includes offshore and onshore electricity transmission infrastructure, including a new onshore substation that will connect to the existing National Grid substation at Bolney, Mid Sussex.
- 1.1.2 As the Proposed Development will have a capacity greater than 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) under Section 15(3) of the Planning Act 2008. It, therefore, requires an application for a DCO to be submitted to the Planning Inspectorate under the Planning Act 2008. The Planning Inspectorate will examine the application for the Proposed Development and make a recommendation to the Secretary of State (SoS) for the Department for Energy Security & Net Zero (DESNZ) to grant or refuse consent. On receipt of the report and recommendation from the Planning Inspectorate, the SoS will then make the final decision on whether to grant the DCO.

## 1.2 Purpose of this document

- 1.2.1 This document provides a list of other consents, licences and permits that the Applicant may need to obtain to enable the construction, operation, maintenance and decommissioning of the DCO Proposed Development. These are not obtained as part of the DCO.
- 1.2.2 In accordance with Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations'), this document is not a document required to accompany an application for Development Consent, however details of other consents, licences and permits are required to be detailed in the standard Application Form.
- 1.2.3 The requirement to provide this information is additionally referred to within Paragraph 45 of the Department for Communities and Local Government Application Form Guidance (Department for Communities and Local Government, 2013).
- 1.2.4 This document may be updated and resubmitted during the examination to demonstrate progress made on obtaining any other necessary consents, licences or permits.
- 1.2.5 This document has been prepared in accordance with the guidance above to provide the outlined information.

## 2. Offshore consents

- 2.1.1 Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore part of the Proposed Development is set out in **Table 2-1**.

**Table 2-1 Offshore consents**

Consent type	Legislation	Consenting authority	Content of consent / licence
<b>Appropriate Assessment and Habitat Regulations Assessment (HRA)</b>	The Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017	Secretary of State for Department for Energy Security and Net Zero (DESNZ)	The relevant Secretary of State is the competent authority for the purposes of the Habitats Directive and the Habitats Regulations. The Applicant has submitted a Report to Inform Appropriate Assessment with the Application.
<b>Crown Consent</b>	Section 135 of the Planning Act 2008	Crown Estate Commissioners, Department of Environmental, Food and Rural Affairs Department for Transport, Forestry Commission, Official Solicitor and the Public Trustee	Consent to acquire interests other than the Crown in Crown land.
<b>Decommissioning Scheme</b>	Energy Act 2004	DESNZ	The Secretary of State will require a decommissioning programme to be submitted prior to commencement of authorised development pursuant to section 105(6) of the Energy Act 2004.

Consent type	Legislation	Consenting authority	Content of consent / licence
<b>Energy Generation Licence</b>	Electricity Act 1989	Office of Gas and Electricity Markets (OfGEM)	The Gas and Electricity Markets Authority on 8 <sup>th</sup> July 2021 granted an electricity generation licence under section 6(1)(a) of the Electricity Act 1989 to the Applicant.
<b>European Protected Species (EPS) Licence</b>	The Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Marine Habitats and Species Regulations 2017	Marine Management Organisation (MMO)	It is an offence to deliberately kill, capture or disturb European protected species, and to damage or destroy their breeding sites or resting places. EPS Licenses can be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence.
<b>Safety Zones</b>	Energy Act 2004	DESNZ	Where a safety zone relates to a NSIP, the appropriate decision maker for safety zones is the Secretary of State, who has delegated that function to DESNZ. The safety zone application will therefore be made to DESNZ, which may, if it is considered appropriate to do so, issue a notice declaring that such areas as are specified or described in the notice are to be safety zones. The application will be subject to consultation with the Maritime and Coastguard Agency (MCA) along with any relevant shipping interests.
<b>F10- Notification of Construction Project</b>	Construction (Design and Management) Regulations 2015	HSE	The Construction (Design and Management) Regulations 2015 require particulars of the Project to be notified to the Health and Safety Executive in advance of construction. This

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<b>Consent type</b>	<b>Legislation</b>	<b>Consenting authority</b>	<b>Content of consent / licence</b>
			notification will be undertaken by the appointed contractor.

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### 3. Onshore consents

- 3.1.1 Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the onshore part of the Proposed Development is set out in **Table 3-1**.

**Table 3-1 Onshore consents**

Consent type	Legislation	Consenting authority	Content of consent / licence
<b>Building Regulation approval (if necessary)</b>	Building Regulations 2010	Local Authorities	<p>The substations at Bolney and Oakendene are anticipated to be unmanned, and therefore covered by the exemption set out in Building Regulations 2010; Regulation 9; Schedule 2; Exempt Buildings and Work – Class II; Buildings not frequented by people.</p> <p>However if Building Regulations approval is required then this would be sought by the contractor.</p>
<b>Crown Consent</b>	Section 135 of the Planning Act 2008	The King's Most Excellent Majesty In Right Of His Crown, Department for Environment, Food and Rural Affairs, Forestry Commission, Official Solicitor and the Public Trustee	Consent to acquire interests other than the Crown in Crown land.
<b>Environmental Permit for water discharge or waste operations / registration of exempt waste</b>	Environmental Permitting (England and Wales) Regulations 2016	Environment Agency	The Environmental Permitting (England and Wales) Regulations 2016 require most waste management activities and discharges to surface or groundwater to have a permit. However, there are some



Consent type	Legislation	Consenting authority	Content of consent / licence
<b>operations and water discharges (as necessary)</b>			exceptions to this, being activities that do not need a permit but do need to be registered.
<b>European Protected Species (EPS) Licence</b>	The Conservation of Habitats and Species Regulations 2017	Natural England	It is an offence to deliberately kill, capture or disturb European protected species, and to damage or destroy their breeding sites or resting places. EPS Licences can be obtained to allow persons to carry out activities that would otherwise be prohibited, without committing an offence. When the design of the project is being finalised, discussions of the final Project details will be undertaken with Natural England.
<b>Flood Risk Activity Permits (for structures in, under or over a main river/permanent culverts)</b>	The Environmental Permitting (England and Wales) Regulations 2016	Environment Agency	Flood Defence Consent may be required pursuant to the Environmental Permitting (England and Wales Regulations 2016) and land drainage byelaws from the Environment Agency for river and main stream crossings along the cable route.
<b>Land Drainage Consent (for structures in ordinary watercourses / permanent culverts)</b>	Water Resources Act 1991	Internal drainage board/local authority	Land Drainage Consent may be required pursuant to the Land Drainage Act 1991 from the Internal Drainage Board/local authority for the crossing of drainage ditches along the cable route

Consent type	Legislation	Consenting authority	Content of consent / licence
<b>Licence for work affecting badgers</b>	Protection of Badgers Act 1992	Natural England	Badgers and their setts are protected under the Protection of Badgers Act 1992, which makes it illegal to kill, injure or take badgers or to interfere with a badger sett. A pre-construction badger survey of the works area and a 50 m buffer zone will need to be undertaken in order to locate any potential new active setts that could cause a constraint to construction. If mitigation cannot be carried out to protect the sett as required under legislation, then a licence to close or disturb the sett may be required and will be obtained prior to the commencement of works as necessary. Surveys will also be carried out in order to identify signs of high levels of activity, to inform the need for measures described under Construction measures below to be carried out to protect foraging.
<b>Notice of Street Works</b>	Traffic Management Act 2004	Highways Authority	If a permit scheme under the Traffic Management Act 2004 is in place in relation to any relevant street the Applicant would have to comply with that scheme as necessary including e.g. booking time on the street. Street Works are as set out in Submitted Plan '2.5 Rampion 2 Access, Rights of Way and Street Plans'.
<b>Permit for transport of abnormal loads (if necessary)</b>	Road Vehicles (Authorisation of Special Types) (General) Order 2003/Road Traffic Act 1988/Road Vehicles	Department for Transport, Highways Agency, Local Highway	The Construction and Use Regulations are the primary legislation for the construction and maximum dimensions for all vehicles. The Road Vehicles (Authorisation of Special Type) General Order permits the use of vehicles and/or loads, which cannot comply with the maximum permitted weight, either gross or

Consent type	Legislation	Consenting authority	Content of consent / licence
	(Construction and Use) Regulations 1989		axle weight, for the class of vehicle being used for transporting a load. It also contains the regulations for loads, which exceed the maximum width permitted by Construction and Use Regulations, agricultural vehicles and many other miscellaneous vehicles. The legislation is in the most part permissive in that (with some exceptions) providing the haulier complies with the requirements of notification procedures, an abnormal load can be moved without the need for any permit or authorisation.
<b>Temporary Road Traffic Orders (if construction phase requires closure of any public highway and/ to agree temporary speed limits)</b>	Road Traffic Regulation Act 1984	Highways Authority	The Applicant has the power under the DCO to temporarily close, alter or divert any street within the Order limits. However Temporary Road Traffic Orders (TTRO) can be sought where construction requires closure of any public highway, which includes those outside the Order limits. Therefore, if construction requires closure of any public highway not included in the proposed DCO, additional TTROs will be discussed with the highway authority after the DCO is granted and before works commence.
<b>Water Abstraction Licence (if required)</b>	Water Resources Act 1991	Environment Agency	A Water Abstraction Licence may be required pursuant to the Water Resources Act 1991 from the EA if required by the contractor for the abstraction of water during construction of the construction works
<b>Consent under section 23 of the Land Drainage Act 1991</b>	Land Drainage Act 1991	Lead Local Flood Authority, Internal Drainage Board	This permit, to allow an obstruction of an ordinary watercourse, will be sought post grant of DCO if required.

Consent type	Legislation	Consenting authority	Content of consent / licence
<b>Section 16 Wildlife and Countryside Act Licence</b>	Wildlife and Countryside Act 1981	Secretary of State, MMO or Natural England or Environment Agency	A licence may be required if construction activities are to interfere with designated species.

