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## **RAM2-AFP223: Green Properties (Kent & Sussex) Ltd**

### **Response to the Applicants Response**

**2.11.4** The response does not reflect the true facts & is disputed.

The loss of BNG over 30 years will be very substantial.

**2.11.05** The Applicant or their Representatives or their Agents have never ever met the Land Interest at the Property at Kent Street apart from for an amicable Door ? Survey. The dates given here are misleading as they are confused with dates for a different Land Interest not Green Properties (Kent & Sussex) Ltd. Applicants' response is false.

The applicant has received a response to this letter some time ago to their Agent and a meeting is arranged for Wednesday 24<sup>th</sup> April. Despite their false claim.

**2.11.6** The response here does not reflect the true facts and is disputed. Full details were replayed by Savills to the Applicant. The Applicant had full information of the entire Project.

The Land Interest disputes the Applicants claim here that "this section of the cable route accommodates substantial existing buried services" is entirely false. The only buried services on the Land Interest Land is one single cable at the extreme Eastern end of the Property where the corridor narrows down substantially into the neighbour.

**2.11.6** See Annexed 4 letters.

**2.11.8** The Land Interest did not suggest that there was shared information, shared working or shared development proposals between Rampion & JBM. Rampion 2 is a joint venture partner with RWE. We believe this very close connection should be investigated fully despite the Applicants attempt to distance itself.

**2.11.15** The Woodland Trust had numerous site meetings to discuss the project. The Applicants attempt to undermine those negotiations here and dictate to the Woodland Trust Refer to 2.11.6.

The Applicant has misrepresented the Land Interest here as they know very well that the contents of the letter of the 10<sup>th</sup> March were withdrawn & superseded with an apology from Vaughn Weighill with another letter on 20<sup>th</sup> March 2023. However the Applicant has seen fit not to reveal this valuable information. Annex letter 20/3/23.

**2.11.25** See 2.11.8.

**2.11.25** The Applicant may not be progressing an unrelated project but its parent company, hence the unreversible close connection.

**2.11.19** The Applicant appears to be aware of other companies which the Land Interest is not aware of. The Land Interest did not raise invoices as the Applicant well knows, because the Applicant had refused to pay professional costs.

**2.11.21** This whole response is entirely disputed as dealt with elsewhere in detail. The Land Interest appeals to the Examining Authority to decide where the truth lies.

**2.11.22** The reasons were considered not genuine.

**2.11.42** The response here does not reflect the true facts & is disputed. No request was ever made for site of the acceptance letter. We refer to 2.11.6.

**2.11.43** The Land Interest disputes this response. The statement here is untrue. No detailed evidence to support Applicants claim. See copy email to prove their claim is wrong. Annex letter.

**2.11.43** The Applicant has repeatedly ignored information supplied by Guy Streeter, Savills in their determined agenda to use the Northern route throughout regardless. See 2.11.6 Annexed letters.

**2.11.44** The Applicants response here makes no sense.

**2.11.47** The Land Interest notes your admission that an SSSI was not an honest assessment and the Applicant has retracted this statement.

**2.11.66** Re Land Interest disputes this response.

**2.11.71** The Land Interest considers this response inadequate.

**2.11.85** The Land Interest considers this response inadequate.

**2.11.86** The Land Interest totally rejects this response.

**Green Properties (Kent & Sussex) Ltd**

**25.04.2024**

24th November 2022  
Ref: GS/601969



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Dear Dr Krebber

**RE: [REDACTED] - Land at Kent Street  
Rampion 2 Onshore Cable**

I act for [REDACTED] who owns land in Kent Street, near Cowfold and also Spithandle Lane, near Wiston, West Sussex, both properties will be impacted by the Rampion 2 onshore cable proposals.

I recently wrote to the RWE UK Chair Mr Glover – see attached letter of 8<sup>th</sup> November 2022. We received a holding response to this letter from Mr Vaughan Weighill, Project Manager, of RWE Renewables UK. This response indicated Mr Glover would respond early this week. It is now Thursday 24<sup>th</sup> November and a full response has not been provided. My client and I are most disappointed by this as the current window for the Rampion 2 consultation responses closes at 23.59 on Tuesday 29<sup>th</sup> November. In light of this we have no choice but to escalate our concerns to you, this should not be necessary but given the fundamental flaws already made by the UK Rampion 2 project, it is not surprising.

Insufficient information has been provided to my client from inception of this project and fundamental communication failures have occurred during the entire process, including the current statutory consultation. We consider the Rampion 2 project has not met the criteria set by The Planning Act 2008 in respect of the requirements to engage and consult with stakeholders as a necessary part of the Development Consent Order (DCO) process. We believe the Rampion 2 project team have overlooked and given inadequate consideration to the Equality Act 2010. The environmental assessments and ecological surveys have not been completed properly and will not meet the vigorous requirements of the UK EIA Regulations.

My client and I are in favour of renewable energy and understand this to be a necessity for the future resilience of the UK's energy resources. What cannot be tolerated however is the wanton destruction of the UK countryside and the businesses that are operating within it.

If the RWE Rampion 2 project team had fulfilled their statutory duties and conducted the engagement and consultation appropriately and actually listened to those parties that will be affected by the proposed development then this letter would have been wholly unnecessary. The RWE Project team have created much frustration in the landowning community in the affected area. An open and conciliatory approach would have lead to higher levels of engagement which would have been most advantageous to your UK colleagues in resolving problems and to obtaining voluntarily agreement to their proposals. The current stance of your project team, who seem unwilling to consider sensible feedback and consider making changes to the development proposals means that the DCO application is likely to be challenged by many parties and attempts will be made to scrutinise whether due process has been followed and delay the project. My client, [REDACTED] is contemplating challenging the RWE Rampion 2 team at the DCO examination to the extent that he has not ruled out Judicial Review due to his experiences. This will delay the project and create unnecessary cost.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

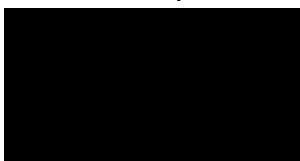
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You will be aware that that your team must convince not only The Planning Inspectorate but also the Secretary of State as to the merits of the scheme and how the pre application engagement meets the necessary criteria for a DCO for a Nationally Significant Infrastructure Project.

I would be if grateful you could please direct you UK colleagues to respond to my correspondence. I remain hopeful that the current RWE Rampion 2 engagement strategy will be reviewed in order that a better outcome may be achieved for all parties.

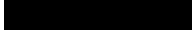
Yours sincerely



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8th November 2022  
Ref: GS/601969



By email only

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Dear Mr Glover

**RE: Mr T Dickson - Land at Kent Street  
Rampion 2 – Proposed Cable – Queen’s Platinum Jubilee Woodland**

Further to our telephone conversation on the 9<sup>th</sup> September 2022 and my letter sent to your project manager Vaughan Weighill dated 26<sup>th</sup> October, a copy of which was emailed to you.

I am writing to you with specific reference to my client’s proposals for his land at Kent Street, near Cowfold. This land, extending to approximately 70 acres has been accepted as one of a limited number of proposed new woodland sites under a nationally significant project known as The Queen’s Green Canopy.

This unique tree planting initiative was created to mark Her Majesty’s Platinum Jubilee in 2022. It will create a network of individual trees, copses and woodlands to honour The Queen’s service to the United Kingdom and the legacy that she has created. The nation is deeply saddened by the passing of Her Majesty and following the wishes of the Patron of The Queen’s Green Canopy, His Majesty The King these projects have been extended in memoriam to honour our great, late Queen Elizabeth II. It is intended that a member of the Royal Household will plant the first tree on the site bringing much public attention to this initiative.

My client is very supportive of green energy, however, he has significant concerns with RWE’s current proposals for his land. RWE have had ample time to consider a less intrusive route and have made numerous cable route amendments for other parties and for sites which are less sensitive. Mr Dickson made his plans clear to Rampion well in advance of the decision to site the substation at Oakendene. In correspondence as far back as November 2021 my client made it clear that the whole of his landholding in Kent Street would be planted with trees.

In May 2022 my client also made it clear that there was no possibility to disturb this land and asked Rampion to show respect for his proposed Queen’s Green Canopy Project. It is not an option for RWE to hijack and destroy his plans by scything wide strips through the middle of the proposed woodland, damaging soil structures and sterilising areas making them unsuitable for tree planting. RWE’s proposals puts my client’s project in jeopardy. The criteria for the scheme is to create a native woodland covering a minimum area of 70 acres (One acre for every year of her Majesty’s reign) and to leave a valuable lasting legacy, the woodland will show tangible conservation and climate benefit and be in place for at least 100 years. Regrettably, your project team have not provided details of RWE’s proposals and have not consulted or engaged with him in an adequate way.

The majority of [REDACTED] land at Kent Street has enhanced biodiversity, as notified to RWE last year, the land, having been unmanaged in recent times has significant wildlife stocks and diverse ecology and is a known habitat for many protected species, including Bats, Badgers, and Great Crested Newts.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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The wood will be well established by the time RWE commence the proposed works and even more so by the time reinstatement is completed and the landscape will take many decades to fully restore.

The proposed woodland cannot be disturbed for 100 years and in light of Mr Dickson's early communications to you and bearing in mind the recent outpouring of grief globally and his request that RWE show some respect we do find RWE's determined defiance to hamper this project utterly staggering. Furthermore, we are astonished that RWE and your consultants have not looked more carefully at other routes to create the necessary connection points for the various cables to the substations in and around Kent Street.

For the avoidance of any doubt, [REDACTED] has never met Rampion 2 management or Rampion 2 agents at Kent Street, Cowfold, at any time. RWE have never supplied substantive information with detail of the cables, proposed cable laying methodologies or any proposals for wildlife mitigation to my client. Any meetings held have occurred elsewhere and only been the subject of his other property..

Finally, I should like to draw your attention to the recent failed CPO case; The London Borough of Barking and Dagenham Council (Vicarage Field and surrounding land) Compulsory Purchase Order 2021. (Case Ref: APP/PCU/CPOP/Z5060/3278231).

It is interesting to note that the Inspector in this case levied criticism at the acquiring authority for its approach to consultation and engagement with stakeholders and potentially affected parties, it strikes me that there are similarities between the approach in that case and the way that RWE have approached the Rampion 2 project. You will note that I have copied the Planning Inspectorate into this communication.

Yours sincerely

[REDACTED]

**Guy Streeter MRICS FAAV**  
**Director**  
**RICS Registered Valuer**

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15 December 2022  
Ref: GS/601969

By email only

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Dear Vaughan

**RE: Mr T Dickson - Rampion 2 Proposed Cable  
Land at Kent Street - Queen's Platinum Jubilee  
College Wood Farm, Spithandle Lane, Nr Wiston**

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Thank you for your letter dated 25<sup>th</sup> November 2022 in response to my letter to Tom Glover, RWE UK Chair. This letter is intended to correct some aspects of your letter and also as a further response to your consultation.

Firstly, thank you for allowing us some further time to compile our response, as you know we were awaiting the PEIR and (SIR) to the PEIR which was posted to my client some way in into the consultation period and only after the information was requested via my letter of the 7<sup>th</sup> of November. Whether you have complied with the Equality Act 2010 remains uncertain, but I am grateful for the information you have supplied.

In my letter of 7<sup>th</sup> November I asked, 'what economic assessments have been undertaken in respect of the impact of the proposed cable installation works on my client's farming business?', you have not supplied that information nor any conclusions of any financial impact assessment or similar. I have therefore concluded that RWE have not undertaken this type of assessment which shows a lack of engagement and empathy for the many businesses that will be affected by RWE's proposals.

### The Queen's Green Canopy Project

The Woodland Trust and Queen's Jubilee Woodland Committee have confirmed to my client that they will not accept land being entered into their scheme if there is a threat of or likely damage to the woodland from the Rampion 2 construction corridor. The proposed woodland must be 70 acres in total, this is not Mr Dickson's choice but a clear prescription of the Queen's Jubilee Woodland scheme rules and for obvious reasons (Her Majesty's reign was for 70 years).

In your letter you say that we only informed you of Mr Dickson's plans in November 2021, this is incorrect, meetings were held on the 11<sup>th</sup> of August 2021 and also 13<sup>th</sup> October 2021, I also wrote to RWE in May 2021 and met with your agent at College Wood Farm on the 15<sup>th</sup> of June 2022 and on each occasion the QGC project was explained. Your continued pursuit of a discussion about the detail of the planting specification is misguided. You seem to have missed crucially that there is no option or ability for Mr Dickson to amend the proposal to accommodate your project. The Queen's Green Canopy (QGC) committee do not want to support a tree planting project that will not fulfil the scheme brief or is likely to be significantly disrupted by the Rampion 2 cable, this threat creates reputational risk for the QGC committee and understandably you can appreciate why they might choose to cease working with Mr Dickson and the Woodland Trust on this project.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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You refer to positive engagement in your letter and how this would allow us to work together, however, you are proposing two routes through the Kent Street land owned by my client and despite our efforts you have not offered any compromise or technological solution and seem resolute on simply destroying the project. Conversely, RWE have managed to select your preferred site for the new substation which is on the land adjacent to my clients. If the Rampion 2 project can determine the preferred new substation site, (a significant element of the overall development) then it should have been possible for the project to engage with the affected parties to a greater extent bearing in mind the scale of and likely destruction created by your development.

You have chosen to continually suggest that my client has not engaged with you or your project team, however, I would suggest that the consultation process has been one sided, fundamentally flawed and lacked substantial feedback on construction/technical details. My client has been bold enough to challenge RWE's processes and actions and as a result he has sadly been ignored, unfairly treated and ultimately discriminated against.

The Rampion 2 project team hold a duty to engage with affected parties and stakeholders, but they have failed to do this properly. The whole process has not been handled well and that is why at this late stage in the process RWE have chosen to blame innocent parties such as my client rather than accept its self-inflicted shortcomings. There will be many others that feel failed by the Rampion consultation process, many will have given up attempts to discuss matters with you, clear and full answers are never delivered. The result is that those parties give up trying to be engage with you, but this is of course exactly what your drawn out and inadequate approach has been designed to do. Initially, Richard Fearnall was appointed by your agents to hold site meetings on the ground, there were lots of promises made but very limited information was ever received from him in writing, and we fear much of the information he gathered was not fed back to you or the wider project team for proper consideration. Richard left the project at short notice and seemingly without any real handover.

Your own internal team have referred to Heads of Terms and given loose indications of financial consideration for the easement but nothing of substance has been presented or discussed. We still await draft Head of Terms which were promised around a year ago. There has been no detail provided on the junction bays that need to be installed to connect the 1km cable lengths – I assume approximately 40 of these will be required in total. I understand from my own research that these areas will require Rampion to acquire a permanent easement to access the manholes constructed for the cable joints. Remarkably, none of this has been discussed, access to private areas of land is a significant concern for rural farming business and property owners. Not only do such rights cause diminution in value, but at practical level rural crime is a significant problem and the acquisition of such rights will be worrying for some landowners. You have chosen not to learn about the rural business that your project will disrupt and as a consequence you have not united yourselves to those parties and therefore RWE have now established a poor reputation within the landowning community.

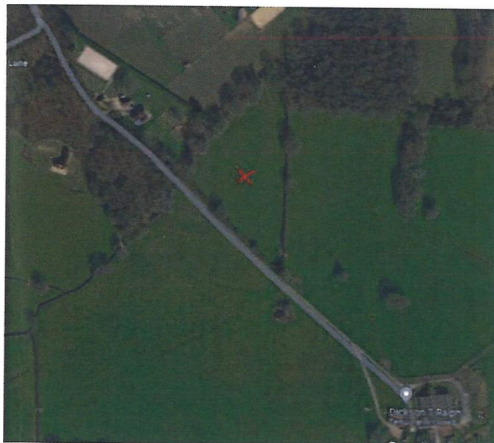
I would like to raise the issue of professional fees. You have paid limited fees to agents to assist client's to agree terms with RWE to enable access to land for surveys. Sadly, you have not offered to pay any professional fees to enable clients to obtain advice to engage with RWE, yet you have criticised my client for not doing so. I would argue that in order to fully discharge your duty under the Planning Act 2008 to engage and act fairly you are required to meet reasonable professional fees. Failure to do so is unusual for an NSIP project, particularly one which seeks CPO rights to enter and acquire permanent rights in privately owned land. The precedent for meeting reasonable professional fees was also set under Rampion 1, but the entire approach of that project was quite different, making the entire scheme less contentious. The developer in the case of Rampion1 built good relations and essentially paid claimant's fees in full.

The RWE project holds insufficient ecological survey data for the land at Kent Street making it impossible for RWE to make an informed decision on the route through the 70 acres of land – some of which is rewilded and has not been commercially farmed for many years. You have not supplied any survey data to us, we believe you have inadequate information to support your proposals. Your plans/drawings for the route across Kent Street do not include two ponds which have been created by my client on this land, there are a total of three ponds and your northern proposed route passes through all of these and this cannot be ecologically acceptable.

Whilst I have touched on some aspects of my client's main farm (College Wood Farm) throughout this letter there are some specific points that I wish to raise/reiterate.

#### College Wood Farm, Spithandle Lane


1. We have engaged in detail with alternative routes and methodology across this farm, our suggestions have seemingly been ignored and any response that has been given has been delivered with inadequate explanation of how decisions have been made. Whilst open trenching should be limited in our view, RWE have not considered a reduced construction corridor beyond the 'muted' 20m reduced corridor. We consider that the corridor could be reduced further to 10m - 12m if a 'trefoil' cable configuration was adopted with 4 trenches at 2.5m centres.
2. At College Wood Farm, the construction corridor should be reduced as above but also the proposed route should move to the north of the PEIR red line boundary, this would move the construction corridor further north away from various ponds and areas of wet land on the farm.
3. Whilst it is wholly preferable not to have cable joint bays/manholes on my client's property, if a joint bay is required, it should be in the first small field on the left as you enter the farm via the concrete access road. The exact location is to be subject to further discussion and agreement. This would limit the injurious affection caused by the installation of such apparatus and limit the security risk posed by third party access to the farm.



4. It has previously been agreed by RWE that the farm access road would not be used for construction traffic, this will protect the residential occupiers and equine yard who share use of the farm access road with my client. Furthermore, the access onto Spithandle lane is poor near a sharp bend making it dangerous for use by large and slow moving construction vehicles. The agreement not to use the farm access road was documented by RWE in writing on the 14<sup>th</sup> of October 2021. Your engineers confirmed that the farm access road would only be used by operational traffic (not construction traffic) the operational traffic is expected to exist of a few 4x4 vehicles (or similar light vehicles) and limited to approximately four movements per year.

You confirm at the bottom of page 2 of your letter that the pre-application phase of an NSIP is a developers main opportunity to amend a scheme in response to stakeholder responses. You have asked [REDACTED] to engage with you, I would suggest that he already has and therefore now is your opportunity to amend your scheme to avoid his land at Kent Street and to adopt a revised methodology and a reduced construction corridor at College Wood Farm to mitigate the destruction of his ecologically sensitive unimproved pasture and ancient woodland relic hedges, prior to making your DCO application.

If you are unwilling to take up the alternative route at Kent Street and avoid my client's land, then there is a real risk that the Queen's Jubilee woodland plantation will not proceed, and my client will be looking to Rampion for full compensation for this. On a without prejudice basis this is likely to include the full value of the entire 70 acres inclusive of the habitat/BNG value – for the avoidance of doubt this is far greater than the primary agricultural land value. I would also suggest that it would be prudent for The Planning Inspectorate to direct RWE to offset the impact of the loss of the QGC woodland project by increasing your (minimum) 10% BNG commitment to compensate for the loss of the climate and environmental benefits that will be forgone by the loss of a 70 acre deciduous woodland. Regrettably, as things stand it will be, solely the Rampion 2 project that prevents the QGC woodland from going ahead. We will certainly lobby The Planning Inspectorate to this effect.

Given the time sensitive nature of the QGC woodland proposal and the tree planting season being limited to the winter, please could I ask you to confirm if RWE will adopt the alternative route proposed (or other alternative) avoiding  Kent Street Land by the 6th of January 2023.

Yours sincerely

  
**Guy Streeter MRICS FAAV**  
**Director**  
**RICS Registered Valuer**

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26th May 2022  
Ref: GS/601969



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Dear Sirs

**RE: Rampion 2 – Proposed Cable**  
**My Client: T Dixon – Land at Kent Street (WSX397379)**

I act on behalf of the landowner [redacted] whose land at Kent Street is registered under title number WSX397379.

Mr Dixon's previous advisors emailed the Rampion Development Team on 11<sup>th</sup> August 2021 and also 13<sup>th</sup> October 2021 to notify Rampion of his proposals to enter the entirety of the land at Kent Street that he owns into the Queen's Green Canopy as a tribute to Her Majesty The Queen Elizabeth II to celebrate her 70 year reign of the United Kingdom. All of [redacted] Kent Street land has been accepted by the Queen's Jubilee Committee and the proposal is for the entire area to be planted with trees as a legacy to Her Majesty's 70 years of service. [redacted] site is the largest proposed woodland under this initiative in Sussex and will have a commemorative plaque at the entrance. There is a large public relations exercise proposed with local media coverage supported by the Parish Council and the Local Authority. Tree planting is proposed from this planting season in September / October and the trees will be well established by the time that your proposed scheme is consented, should you be successful in getting this through the DCO process.

It is expected that the site will become a protected site and designated as a local nature reserve and hold national significance. The proposal is for the entire site to be deer fenced with no disturbance or felling for an initial period of 100 years.

[redacted] considers it an enormous privilege to have had his land accepted by the Queen's Jubilee Committee and has already generated enormous local public support.

It is disappointing that there has been limited consultation and engagement with [redacted] and no detailed response to his previous communication with the Rampion Development Team. It remains unclear exactly what your cable proposals are in this location nor your intended methodology for the cable in this location.

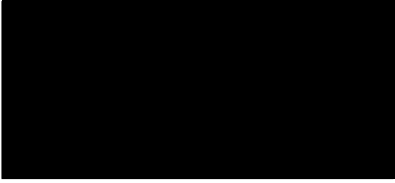
I trust you will carefully consider the information contained in this letter and how [redacted]'s proposals will impact on your own proposals as there will be no possibility for Rampion to disturb this land. An attempt to do so even under the DCO/CPO process will lead to significant public outcry, furthermore we would expect the Planning Inspectorate on behalf of the Secretary of State to take a dim view of a proposal which impacts significantly on one of Her Majesty The Queen's Green Canopy plantations.

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Yours faithfully



**Guy Streeter MRICS FAAV**  
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2-11-43

RWE Renewables Management UK Limited: Windmill Hill Business Park, Whitehill Way, Swindon, Wiltshire SN5 6PB. Registered in England and Wales no. 12087808

**From:** Martin Page [redacted]@blbutilities.co.uk>  
**Sent:** 22 November 2021 11:02  
**To:** DAlessandro, James [redacted]@rwe.com>  
**Cc:** Bryden, Jenn [redacted]@rwe.com>  
**Subject:** Kent Street Cowfold

Afternoon James,

At our last meeting I mentioned that I had applied for numerous trees for a rewilding project at [redacted]s and Green Properties land at Kent Street, Cowfold.

This covers the entire holding.

Subsequently this has moved forward through discussions with various charities and biodynamic groups regarding the whole site, much of which is already established with its own natural rewilding and regeneration.

Please be advised that it is [redacted]s intention to start an extensive tree planting programme in the spring of 2022.

This is all in conjunction with the Queens Green Canopy initiative and is designed to become a local community project, with open public access.

I trust you can note this development plan for the land in your records.

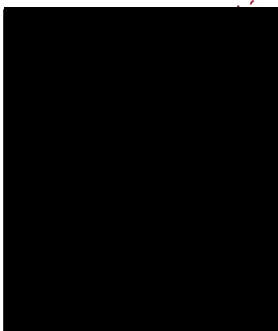
All the best

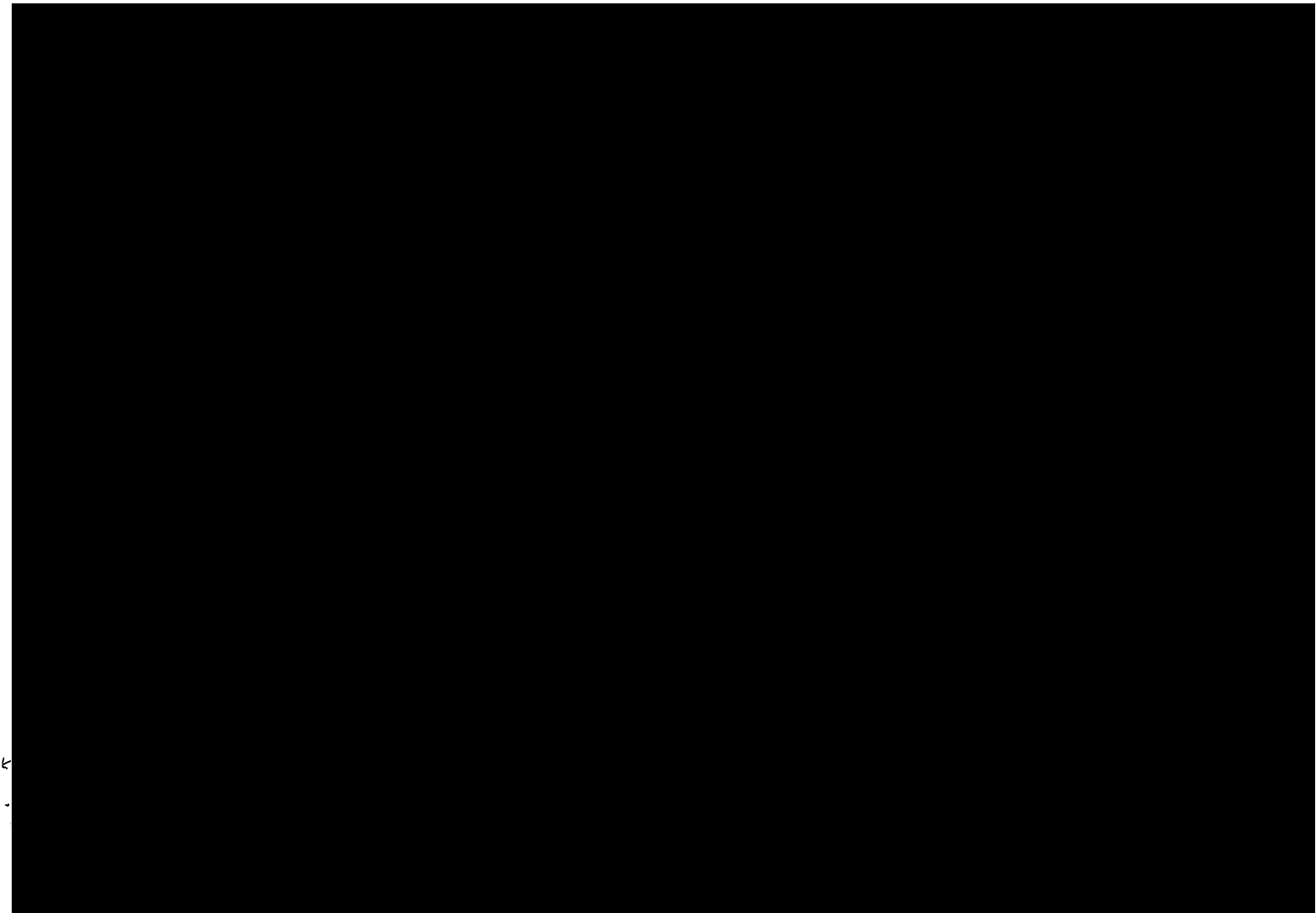
Martin

**Martin Page**



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01273 301888  
01273 525708  
07917 774760

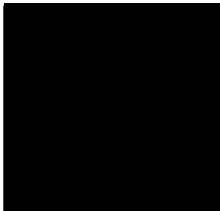




2.11.15.



RWE



Rampion 2 Project  
Rampion Extension Development Ltd  
Windmill Hill Business Park,  
Whitehill Way  
Swindon  
Wiltshire  
SN5 6PB

20<sup>th</sup> March 2023



E: [redacted]@rwe.com

Dear [redacted]

**Proposed Cable Route in respect of Rampion 2 Project**

I write further to my letter dated 10<sup>th</sup> March 2023 relating to your land at Kent Street (sent via email to Guy Streeter at Savills) and the subsequent conversations you and I have had by telephone last week. I understand that [redacted] is no longer acting for you, hence writing directly to you as agreed.

Following sight of that letter you called me to advise that the letter was inaccurate in relation to the record of your intentions listed (a) and (b). This was a misunderstanding on our part, please accept my apologies.

I confirm that we understand that your position should have been stated as follows:-

*"In that call, [redacted] stated his intention to:-*

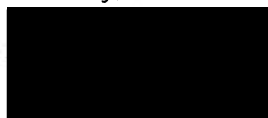
- a) not disclose to ourselves the letter he has received from the Queen's Green Canopy (QGC) Committee in relation to his 70 acre QGC application in which I understand they have raised concerns about the impact of the proposed cable on the proposed planting at Kent Street and indicated that they would withdraw support for [redacted]'s proposed scheme;*
- b) That he would be willing to swear under oath that he has received such a letter."*

For the avoidance of doubt, our understanding is now that you would be willing to submit such a letter into the future Examination phase of our project application.

A separate letter will follow shortly regarding the points raised during the visit last week by my colleagues to College Wood Farm, which we have been considering further since the meeting.

Thank you.

Yours sincerely,



Vaughan Weighill  
Project Manager Rampion 2, RWE

