



The Planning Inspectorate

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Your Ref:

Our Ref: EN010117

Date: 08 July 2024

Dear Ms Algate

The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 17

Application by Rampion Extension Development Limited for an Order Granting Development Consent for the Rampion 2 Offshore Wind Farm Project

Notice by the Applicant of Intention to Submit a Request to Make Changes to the Application

Thank you for your letter dated 27 June 2024 [[AS-020](#)] giving notice of the intention of Rampion Extension Development Limited (the Applicant) to submit a request to make changes to the Rampion 2 Offshore Wind Farm Extension Order (DCO) application. This has been published on the project webpage of the National Infrastructure Planning website. The Applicant seeking advice from the Examining Authority (ExA) on the procedural implications and the scale and nature of the proposed consultation exercise.

The Applicant's letter of 27 June sets out nine changes to the application, which are summarised below:

Change	Description
A	Reduction in the Order Limits close to the Ancient Woodland near the Bolney substation.
B	Reduction in the Order Limits close to the Ancient Woodland at Oakendene.
C	Reduction in the Order Limits close to the Ancient Woodland at Sweethill Farm.
D	Reduction in the Order Limits close to the Ancient Woodland at Michelgrove Park.

E	Reduction in the Order Limits close to the Ancient Woodland at the Ancleggan land.
F	Reclassification of land within the buffer zone of the Ancient Woodland at Decoy Lane from Work No.9 (onshore cable route) to Work No.14 (construction and operational access).
G	Reclassification of the westernmost part of Plot 19/2 from Work No.9 (onshore cable route) to Work No.12 (temporary duct stringing) and to amend the Land plans of this section of land from the Compulsory Acquisition of Rights to Temporary Possession only.
H	Reclassification of land adjacent to Wineham Lane from Work No.19 (onshore connection works) to Work No.13 (temporary construction access) and to amend the Land plans of these sections of land from the Compulsory Acquisition of Rights to Temporary Possession only. Reclassification of land on the eastern side of the National Grid substation from Work No.17 (environmental mitigation) to Work No.13 (temporary construction access) and to amend the Land plans of the majority section of this land from the Compulsory Acquisition of Rights to Temporary Possession only.

In the Applicant's view, each of the suggested changes are not material. This is because in all cases, they represent either a reduction in the Order limits and Order land, or a reduction in the Works sought on the said plots. The Applicant further states that the Change Request would, as a result, not engage the need for consultation under the CA Regulations. Consequently, the Applicant considers that none of the changes merit further consultation as they represent a reduction in the envelope that has already been consulted upon, and that the changes can be accommodated within the remaining period of the Examination.

The ExA has considered the [Planning Inspectorate's Advice Note 16 Guidance on changes to an application](#) (AN16), the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 and the guidance published in the Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects dated April 2024, and makes the following comments.

Paragraph 2.1 of AN16 advises that on receipt of a request to make a change to the application, the ExA must initially consider whether the development being proposed is in substance the same as the development which was originally applied for.

In respect to proposed changes A to G and based purely upon the Applicant's information provided on 27 June 2024, the ExA agrees with the Applicant that the sought changes would amount to a reduction in land take required, and/or a reduction in the use of the land. As this would not likely raise any materially new or different issues to those already before the Examination, the ExA is minded to accept the Applicant's view that proposed changes A to G would not lead to the Proposed Development being different in nature or substance to that which was originally applied for. The ExA also agrees that additional consultation would, as such, not be required.

In respect to proposed change H, the ExA cannot at this stage conclude the same. This is because the following is unclear:

- Why it is proposed that some of the land currently classified as Work No. 19 (onshore connection works (including construction and operational access)) is re-classified as Work No. 13 (temporary construction access) and why the proposed limits of each have been defined.
- Whether a temporary construction access is proposed from Bob Lane and if so, whether this has been previously assessed in the application.
- Whether the proposed mitigation currently proposed for Plots 34/26 and 34/27 can be accommodated satisfactorily within the revised area proposed for Work No.17 (environmental mitigation), although this might be clarified by Vegetation Retention and Removal Plans to be submitted at Deadline 5.
- What National Grid's views on the proposed changes would be including the changes to the Compulsory Acquisition powers sought.

The ExA considers that any forthcoming Change Request for proposed change H should address these concerns and clarify further what is proposed for Plots 34/26 and 34/27, ensuring that they would not lead to the Proposed Development being different in nature or substance to that which was originally applied for. Furthermore, the ExA considers that to avoid the need for re-consultation of proposed change H, the Change Request should be accompanied by a letter from National Grid confirming its support and clarifying the position to any outstanding concerns.

You are asked to ensure that the Change Request that is intended to be submitted, is done so no later than **Deadline 6, 01 August 2024** and responds fully to the points made above taking account of AN16. A formal procedural decision will then be issued by the ExA on whether to accept such changes will be made before the close of the Examination.

Please do not hesitate to contact the Case Team using the contact details at the head of this letter should further assistance be needed.

Yours sincerely,

Richard Allen

Richard Allen
Lead Panel Member for the Examining Authority

This communication does not constitute legal advice.

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