

Rampion 2 Wind Farm

Category 4:

Compulsory Acquisition

Land Engagement Reports:

Maria Antonietta Hacon, Maria Teresa Camillieri, Maria Teresa Natale and Gina Perella Lewis as Trustees of the Land at Lyminster Trust

Date: August 2024

Revision A

Application Reference: 4.6.84

Pursuant to: The Infrastructure Planning (Examination Procedure) Rules 2010, Rule 8(1)(c)(i)

Ecodoc Reference: 005279639-01



Document revisions

Revision	Date	Status/reason for issue	Author	Checked by	Approved by
A	01/08/2024	Deadline 6	Carter Jonas	RED	RED

LANDOWNER NAME:	The Trustees of the Land at Lyminster Land Trust - Maria Natale Hacon - Maria Teresa Natale - Maria Teresa Camilleri - Gina Perella Lewis	URN on LRT:	037 042 044 047
AGENT:	Andrew Thomas (Henry Adams)	Relevant Rep Ref:	RR-001 (URNL 042) RR-215 (URN: 037) RR-216 (URN: 044) RR-132 (URN: 047)
PROPERTY NAME:	Land on the East of Lyminster Road, Wick, Littlehampton (WSX228882)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works 09 Cable Installation Works Works 13 Temporary Construction Access Works 14 Construction and Operational Access	PLOT No:	4/12, 4/15, 4/21, 4/22, 4/23
STATUS			
<p>The Applicant has engaged with the Landowners since the end of 2022 and during that time the Applicant has considered cable route alterations at the Landowners' request to mitigate the impact of the Project on the Landowners' development aspirations demonstrating meaningful consultation and engagement.</p> <p>Despite a number of meetings and regular correspondence with the Landowners, the Landowners are to date, not willing to accept the Applicant's reasoning for and justification of the cable route alignment. The Landowner's have appointed a new agent who has progressed discussions with the Applicant to explore how the Applicant can reduce impacts on the Property's cited development potential. The Applicant is awaiting information in the form of a masterplan from the Landowners' agent in order to progress discussions.</p> <p>In respect of the Heads of Terms for the cable route, the Applicant has updated these Heads of Terms, increasing the easement consideration offer as well as including payments for the temporary construction access and combined construction and operational access routes across the Property. The Applicant has offered to locate the construction corridor as far south as practicable subject to the Proposed Development's requirements in order to reduce potential impacts on the land that the Landowners consider having development potential for housing.</p>			
NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS			
<ul style="list-style-type: none"> • Heads of Terms were issued in July 2023. • The Landowners did not make any initial response to the issuing of the Heads of Terms. • The Landowners submitted their response through an objection submitted following the Applicant notifying the Landowners of the DCO submission in August 2023. • The Applicant had previously met with the Landowners in November 2022, February 2023, and May 2023 to discuss their concerns and followed this up in a letter dated 30th May 2023. • The Landowners have made it clear, in subsequent correspondence, that due to the unsatisfactory responses received from the Applicant the Landowners are unwilling to progress / engage with any negotiations of the Heads of Terms. 			
PROGRESS OF ENGAGEMENT FOLLOWING CAH1			
<ul style="list-style-type: none"> • The Applicant emailed the Landowners' newly appointed agent on 23rd May 2024 and requested an on-line video TEAMS call to discuss the Landowners' position on the Heads of Terms. • The Applicant held an on-line video TEAMS call with the Landowners agent on 13th June 2024 and requested that the Landowners' agent meet with the Landowners to confirm their position on the Heads of Terms. • On the TEAMS call, discussions were held around the development potential of the land. Restrictive covenants were discussed and in particular whether these could be relaxed in locations such as new development access 			

bell-mouths, garden land etc. The Applicant confirmed that it would respond to these matters in light of the masterplan that the Landowners' agent said had been prepared.

- The Applicant issued the Landowner with **Revised Heads of Terms**, including an increased easement offer, payments for combined construction and operational, and operational access and additional construction areas on **28th June 2024**.

LANDOWNER ENGAGEMENT (2022 to 2024)

- The Applicant has had detailed dialogue with the Landowners commencing during **2022**.
- Written correspondence both via emails and letters has been issued to the Landowners across this period as evidenced by the Landowner Engagement Tracker (below).
- The Landowners made themselves known to the Project Team during a Landowner Surgery (Public Consultation) event in Arundel in **July 2022**.
- The Applicant had an initial meeting with the Landowners on **8th November 2022** to discuss the cable route optionality around Lyminster and Warning Camp and to understand the impacts and concerns of the Landowners.
- The Applicant had a further meeting with the Landowners on **24th November 2022** whereby the Landowners informed the Applicant of the recent interest in the Property from developers who had entered into dialogue with the Landowners about the possibility of entering into an option or promotion agreement for residential development of the Property. The Landowners confirmed that an offer had been made, but upon the developer finding out about Rampion they withdrew their offer.
- The Landowners expressed their concerns about the impact of the proposed cable route on their development aspirations in emails dated **26th November 2022**, **27th November 2022** and **28th November 2022** respectively.
- The Applicant met with the Landowners on **20th February 2023** and informed the Landowners that, as a result of the Statutory Consultation, the Alternative Cable Route ("ACR-02") had been chosen over the original PEIR cable route. The Landowners expressed their concern and frustration over this decision. The Landowners requested whether the cable route could be moved either to the South to mitigate the impact on the Property, and to allow the remainder of the Property to retain some development potential.
- The Applicant considered moving the cable route further South (as detailed in the Alternatives / Refinements – Reviewed at the Landowners' Request below) and set out the rationale behind not being able to accommodate this request in an email (to Gina Perella Lewis) dated **1st March 2023**.
- The Applicant met with the Landowners on **4th May 2023**. The Landowners outlined their intentions for the Property including informing the Applicant that an offer had been made to purchase the Property by a housing developer subject to planning. The offer had been withdrawn after the housing developer had learnt of the Rampion 2 proposed cable route. The Landowners reiterated their request that the cable route be re-aligned along the Southern boundary of their land. The Applicant explained the rationale behind the selection of the ACR-02 cable route and for not being able to re-align the cable route along the Southern boundary of the Property. These reasons are set out in the Alternatives section below.
- The Landowners re-iterated their position on the preferred alignment to the Applicant in emails dated **13th May 2023** and **15th May 2023**.
- The Applicant followed up the meeting with the landowners on **4th May 2023** with a letter to each landowner dated **30th May 2023** that set out in detail:
 - Background and Consultation
 - Consultation responses and Current Position with regards to design of the cable route
 - Route LACR1a and ACR-02
 - Representations from the Trustees seeking the relocation of the cable to the south within the landholding
- The Landowners emailed the Applicant in emails dated **4th June 2023** and **6th June 2023** respectively reiterating willingness to discuss alternative routeing.
- The Landowners emailed the Applicant in emails dated **15th August 2023** and **16th August 2023** respectively stating that the Applicant has not answered their questions or given due consideration to the Landowners alternative proposals.
- The Applicant responded to the Landowners' emails dated **15th August 2023** and **16th August 2023** in an email dated **21st September 2023** explaining that a survey licence does not grant the Applicant consent to use the land for the construction of the Project, that it simply enables the Applicant to undertake non-intrusive environmental surveys. The Applicant referred to the rationale of the cable route alignment, as discussed at the meeting of the **4th May 2023**, and reiterated that the Applicant would give due consideration to all suggested alternative cable routes or adjustments to the proposed route alignment, taking into account engineering, land use and environmental factors / constraints.
- The Applicant emailed the Landowners (email dated **9th October 2023**) providing a sketch drawing of two alternative cable routes (to the South of their landholding). The Applicant requested minutes or notes of the Landowners' agent's meeting with Arun District Council and a copy of the masterplan. The Applicant provided further explanation as to the rationale of the cable routeing. No notes or masterplans were forwarded to the Applicant.

- The Landowners responded to the Applicant's email dated **9th October 2023** in emails dated **19th October 2023** and **27th October 2023** respectively. The Landowners set out, again, their position requesting their alternative cable route and detailed approaches made to the Landowners by a developer to purchase the Property.
- The Applicant responded to the Landowners' emails dated **19th October 2023** and **27th October 2023** in an email dated **13th November 2023** requesting further details of the offer received and outlined the compensation requirements in accordance with the Compensation Code. The Applicant requested clarification as to whether the developer would be willing to share their masterplan or be willing to attend a meeting with the Applicant.

IMPACT ON LAND INTEREST

- The ACR-02 cable route severs the Landowners landholding effectively in half maintaining an appropriate distance from the residential properties to the North and staying outside of the Flood Protection Zone to the South.
- The proposed development will result in loss of land used for equestrian grazing.
- The Landowners communicated that they were about to sign up to either a promotion or option agreement (subject to planning) with a developer to purchase the Property for residential development. The land has not been designated for residential development within the Local Plan nor is it a site that has been allocated or called forward as part of a Strategic Housing Land Availability Assessment (SHLAA) by the Local Planning Authority. The Land is designated as a "Biodiversity Opportunity Area".

PROPOSED MITIGATION

- The Applicant can mitigate the impacts on the use of the land through agreeing accommodation works in advance of construction commencing – such as crossing points.
- The Applicant has offered to use reasonable endeavours to locate the construction corridor as far south as possible subject to the Proposed Development's requirements to reduce impacts on potential development as far as possible


OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Landowners have not been willing to sign up to a voluntary agreement with the cable route running through the middle of their landholding. Further to the instruction of a new land agent, discussions regarding commitments surrounding construction corridor refinement and restrictive covenants have commenced between the Applicant and the Landowners' agent and the Applicant is hopeful that negotiations associated with the Heads of Terms can resume.

Carter Jonas

ALTERNATIVES / REFINEMENTS – REVIEWED AT THE LANDOWNERS’ REQUEST

Full List of design changes considered with summary of reasons

Dates of Design Change Request	Design Change Request / Proposal	Accepted or Rejected	Key Reasons
24 th November 2022	<p>Landowner request to move the cable route to the southern boundary of their landholding (as shown by the blue line below).</p> 	Rejected	<p>The Landowner is seeking to enter into an option agreement with a developer for circa 85 units on their approx. 9-acre landholding. In an effort to mitigate the impact of the proposed cable route on their development aspirations, the Landowners have requested the cable route to be moved to the southern boundary of their landholding – and have also requested whether the 20m easement strip can be reduced to 18m.</p> <p>The engineering team have confirmed that it is not possible to reduce the easement strip to 18m in this location. Moving the cable route South would result in a change to the DCO Order Limits and move into a Flood Zone. If the cable route were to be moved South, the HDD pit east of Lyminster road would need to be moved South to keep a straight alignment between the HDD pit at Lyminster Road and the HDD pit for the proposed bypass.</p> <p>Moving the cable route South would move into Flood Zone 2 & 3 which is potentially a significant environmental impact, noting the sequential test regarding building outside of flood zones.</p>

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
LTR to Mr Perella & Ms Hacon re Rampion 2 - Rfl Pack	05/04/2022	Letter
LTR to Mr Perella & Ms Hacon re Rampion 2 - Rfl Pack	22/06/2022	Letter
EM to Maria Hacon re Rampion II - Executors of Land at Lyminster	04/11/2022	Email
EM from Maria Hacon re Rampion II - Executors of Land at Lyminster	04/11/2022	Email
MEETING Maria Hacon, Teresa Natale, Gina Perella, Teresa Camilleri, John Lewis and Nigel Abbott (CJ) at Norfolk Arms, Arundel	08/11/2022	Site Visit
EM from Maria Hacon re Trustee meeting re our land at Lyminster on Tuesday 8th November in Arundel	09/11/2022	Email
EM to Maria Hacon re Trustee meeting re our land at Lyminster on Tuesday 8th November in Arundel	11/11/2022	Email
EM from Maria Hacon re Request for a further meeting	14/11/2022	Email
EM from Maria Hacon re Request for a further meeting	17/11/2022	Email
EM to Maria Hacon re Request for a further meeting	17/11/2022	Email
EM from Maria Hacon re Request for a further meeting	18/11/2022	Email
EM to Maria Hacon re Trustee meeting re our land at Lyminster on Tuesday 8th November in Arundel	18/11/2022	Email
EM from Maria Hacon re Trustee meeting re our land at Lyminster on Tuesday 8th November in Arundel	18/11/2022	Email
EM from Gina Perella re Area 2 Lyminster to Sullington Hill. MODIFIED ROUTE	22/11/2022	Email
EM to Gina Perella re Area 2 Lyminster to Sullington Hill. MODIFIED ROUTE	22/11/2022	Email
EM from Gina Perella re Area 2 Lyminster to Sullington Hill. MODIFIED ROUTE	22/11/2022	Email
MEETING Maria Hacon, Teresa Natale, Gina Perella, Teresa Camilleri, John Lewis and Nigel Abbott (CJ) at Weald House, Pulborough	24/11/2022	Site Visit
EM from Gina Perella re Copy of Objections to Area 2 Lyminster to Sullington Hill Modified Route	26/11/2022	Email
EM from Maria Hacon re Timeline and Outline of the Process re Lyminster	27/11/2022	Email
EM from Maria Hacon re Response to "Second Round of Consultation: Potential Onshore Cable Route Changes"	28/11/2022	Email
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Rampion II - Survey Access Request - Wk c. 12 12 22	29/11/2022	Email
EM from Maria Hacon re Rampion II - Survey Access Request - Wk c. 12 12 22	30/11/2022	Email
EM from Maria Hacon re Response to "Second Round of Consultation: Potential Onshore Cable Route Changes"	30/11/2022	Email

EM to Maria Hacon re Timeline and Outline of the Process re Lyminster	01/12/2022	Email
EM to Maria Hacon re Rampion II - Trustees of Land at Lyminster Trust - Meeting - 15 Dec 22	02/12/2022	Email
EM to Maria Hacon re Rampion II - Survey Access Request	05/12/2022	Email
EM from Maria Hacon re Rampion II - Trustees of Land at Lyminster Trust - Meeting - 15 Dec 22	09/12/2022	Email
EM to Maria Hacon, Gina Perella, Teresa Natale, Teresa Camilleri & Will McLaren-Clark (MCC) re Rampion II - Trustees of Land at Lyminster Trust - Meeting - 15 Dec 22	09/12/2022	Email
EM from Maria Hacon re Meeting in McLaren Office - 14 12 22 - to be rescheduled	13/12/2022	Email
EM to Will McLaren-Clark (MCC) re Possibility of rescheduling meeting	31/01/2023	Email
EM from Maria Hacon re Possibility of rescheduling meeting	03/02/2023	Email
MEETING Maria Hacon, Teresa Natale, Gina Perella, Teresa Camilleri, John Lewis, Wil McLaren-Clark (MCC) and Nigel Abbott (CJ) at McLaren Clark Consultancy Office, Arundel	20/02/2023	Site Visit
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Survey Access Request	24/02/2023	Email
EM from Gina Perella re Drilling for noise monitoring survey	27/02/2023	Email
EM to Gina Perella re Drilling for noise monitoring survey	01/03/2023	Email
EM from Gina Perella re Further Surveys on Land at Lyminster	02/03/2023	Email
EM to Gina Perella re Further Surveys on Land at Lyminster	02/03/2023	Email
EM from Gina Perella re Further Surveys on Land at Lyminster	02/03/2023	Email
EM to Gina Perella re Further Surveys on Land at Lyminster	03/03/2023	Email
EM from Maria Hacon re Alternative Dates for a Meeting with Rampion in McLaren Offices	03/03/2023	Email
EM from Maria Hacon re Alternative Dates for a Meeting with Rampion in McLaren Offices	27/03/2023	Email
EM to Maria Hacon & Will McLaren Clark (MCC) re Alternative Dates for a Meeting with Rampion in McLaren Offices	27/03/2023	Email
EM from Maria Hacon re Tomorrow's meeting	28/03/2023	Email
EM to Rampion 2 re Trustees of the Land at Lyminster Trust	06/04/2023	Letter
EM from Maria Hacon re Trustees of the land at Lyminster	12/04/2023	Email
EM to Maria Hacon re Trustees of the land at Lyminster	13/04/2023	Email
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Rampion II - Survey Access Request - Wk c. 24 04 23 & 01 05 23	17/04/2023	Email
EM from Gina Perella re Rampion II - Survey Access Request - Wk c. 24 04 23 & 01 05 23	18/04/2023	Email
EM to Gina Perella re Rampion II - Survey Access Request - Wk c. 24 04 23 & 01 05 23	18/04/2023	Email

EM from Maria Hacon re Meeting re Rampion 2 - Trustees of the Land at Lyminster	02/05/2023	Email
EM to Maria Hacon re Meeting re Rampion 2 - Trustees of the Land at Lyminster	02/05/2023	Email
MEETING Maria Hacon, Gina Perella, Teresa Natale, Teresa Camilleri, John Lewis, Will McLaren-Clark (MCC), Vicky Portwain (RWE) and Nigel Abbott (CJ) at McLaren Clark Consultancy Office, Arundel	04/05/2023	Site Visit
EM to Maria Hacon re Breeding Birds - Survey Access Request	05/05/2023	Email
EM to Maria Hacon re Rampion II - Tree Survey Results	05/05/2023	Email
EM from Will McLaren-Clark (MCC) re Rampion II - Tree Survey Results	05/05/2023	Email
EM from Maria Hacon re Response to Rampion / RWE letter dated 14 April 2023	13/05/2023	Email
EM from Maria Hacon re Nigel Abbott & Vicky Portwain - meeting last week re Lyminster (Natale / Perella)	15/05/2023	Email
EM from Gina Perella re YOUR LETTER DATED 14 April 2023: Objections to Area 2 Lyminster to Sullington Hill...	15/05/2023	Email
EM to Will McLaren-Clark (MCC) re Rampion II - Tree Survey Results	30/05/2023	Email
EM to Maria Hacon re Rampion II - Survey Access Request - Wk c. 05 06 23	30/05/2023	Email
EM individually to Teresa Camilleri, Gina Perella, Maria Hacon and Teresa Natale (from VP) re Rampion 2 - Land East of Lyminster Road	31/05/2023	Letter
EM from Maria Hacon re Rampion II - Survey Access Request - Wk c. 05 06 23	01/06/2023	Email
EM from Gina Perella re Proposed Cable Route in respect of the Rampion 2 Project	04/06/2023	Email
EM from Maria Hacon re Response to (1) Minutes of the Meeting and (2) Rampion Proposed Cable Route	06/06/2023	Email
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Key Terms Packs	14/07/2023	Letter
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re DCO Submission	14/08/2023	Email
EM from Teresa Natale re Rampion II - DCO Submission	15/08/2023	Email
EM from Maria Hacon re Rampion II - DCO Submission	16/08/2023	Email
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Application accepted for Examination by Planning Inspectorate	08/09/2023	Email
EM to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Rampion 2 DCO Submission	21/09/2023	Email
EM to Teresa Natale re Rampion II - DCO Submission	21/09/2023	Email
EM to Maria Hacon and Gina Perella, (from VP) re Rampion 2 response to emails sent by Trustee of the Land at Lyminster Trust	09/10/2023	Email
EM from Gina Perella re Proposed Cable Route in respect of the Rampion 2 Project	19/10/2023	Email
EM from Maria Hacon re Rampion 2 - Vicky Portwain / Your email dated 9th October	27/10/2023	Email

Carter Jonas

EM to Maria Hacon re Rampion 2 - Vicky Portwain / Your email dated 9th October	13/11/2023	Email
EM from Andrew Thomas (Henry Adams) re Land at Lyminster	15/05/2024	Email
EM to Andrew Thomas (Henry Adams) - Land at Lyminster	23/05/2024	Email
TEAMS Call with Andrew Thomas (Henry Adams), Vicky Portwain (RWE) and Nigel Abbott (CJ)	13/06/2024	Telecom
LTR to Maria Hacon, Gina Perella, Teresa Natale & Teresa Camilleri re Revised Key Terms Packs	28/06/2024	Letter

All engagement correspondence referred to within this Land Engagement Report can be provided upon request. Please note: there may have to be redactions in order to comply with confidentiality between parties and GDPR legislation.