

Rampion 2 Wind Farm Category 4: Compulsory Acquisition

Land Engagement Reports: The Executors of Stanley William Hutchings & Timothy John Hutchings

Date: August 2024 Revision A

Application Reference: 4.6.30 Pursuant to: The Infrastructure Planning (Examination Procedure) Rules 2010, Rule 8(1)(c)(i)

Ecodoc Reference: 005279540-01

Document revisions

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

LANDOWER NAME:	Timothy John Hutchings, Michael William Hutchings, & Sally Anne Eyres as Executors of Stanley William Hutchings	URN on LRT:	067
AGENT:	Andrew Thomas (Henry Adams)	Relevant Rep Ref:	RR-259
PROPERTY NAME:	Wick Farm, Arundel Road, Littlehampton (WSX244867) Land at Brookbarn Farm, Courtwick Lane, Wick, Littlehampton (WSX373211)	Written Rep Ref:	N/A
LAND INTEREST:	Category 1 Works 09 Cable Installation Works Works 11 Temporary Soil Storage Works 12 Temporary Duct Stringing Area Works 13 Temporary Construction Access Works 14 Construction and Operational Access	PLOT No:	2/34, 2/35, 2/41, 2/42, 3/2, 3/3, 3/5, 3/6, 3/7, 3/8, 3/9, 3/10, 3/11, 3/12, 3/13, 3/14, 3/15, 3/16, 3/17, 3/25, 3/26, 4/1, 4/2, 4/3, 4/4, 4/5

STATUS

The Applicant has engaged with the Landowner and the Landowner's agents since 2021 and during that time the Applicant has considered a cable route alteration at the Landowner's request in an effort to mitigate the impact of the Project on the Landowner's day-to-day farming activities, demonstrating meaningful consultation and engagement.

Despite a number of meetings and regular correspondence with the Landowner and the Landowner's agent, the Landowner's agent still has a number of concerns with the Heads of Terms relating to an area of landfill, proximity to land that the Landowner believes has development potential for housing and solar and a concern of prejudicing the Landowner's ability to allow Network Rail access over the easement strip to the railway line.

The Landowner's agent has made it clear that without further clarification on the above listed points from the Applicant, the Landowner's agent is not willing to recommend his client to sign up to the Heads of Terms. It is also noted that the Landowner's agent needs to provide further information in relation to the proposed development of the farmstead to establish whether the two schemes are compatible.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- Heads of Terms were issued in March 2023.
- The Applicant issued the Landowner's agent with the draft Option Agreement and draft Deed of Easement documents in **September 2023**.
- The Applicant spoke with the Landowner's agent in **May 2024** and met with the Landowner's agent in **July 2024** to seek to establish whether a voluntary agreement could be reached.

PROGRESS OF ENGAGEMENT FOLLOWING CAH1

- The Applicant had a telephone conversation with the Landowner's agent, on **24th May 2024**, who confirmed the main issue was that a bespoke clause needs to be included within the **Heads of Terms** to ensure the Landowner is not prejudiced from granting Network Rail access over the easement strip.
- The Applicant provided the bespoke clause in amended Heads of Terms in an email dated 15th July 2024.
- The Applicant met with the Landowner's agent on 15th July 2024 in an effort to draw together all the Landowner's concerns and seek to establish whether a voluntary agreement could be reached. The Landowner's agent informed the Applicant that a developer had made an offer to enter into an option agreement to develop the farmstead and surrounding area extending from the farmstead to the railway line. The Landowner's agent confirmed that it was unlikely that the fields subject to the cable route would have houses built upon but did believe this could be open space and or playgrounds or a recreation field. The Landowner's agent queried whether gardens could be allowed to extend over the easement strip. It was agreed that the Landowner's agent would seek more details from the developer including a masterplan / design so that the Applicant can review to establish whether the schemes are compatible with each other.

The Landowner's agent queried whether a commitment could be made by the Applicant to ensure the cable route is as far West as possible, accepting the Network Rail crossing constraints, to mitigate any impact on the proposed development of the farmstead.

The Landowner's agent stated that a proposed solar farm extension development was now likely to happen after the cable construction and requested whether ground mounted solar panels would be permitted over the easement strip.

The Landowner's agent requested whether, provision could be made within the operational access easement for the track running East to West (to the South of the farmstead) alternative access (should the farmstead be developed, and a new road adopted that leads to the easement).

The Landowner's agent raised a concern in relation to indemnities for the livestock (if they were to injure an Applicant's contractor. It was agreed that this was a point to be raised with the solicitors when drafting the easement agreement, and that this would not prevent the **Heads of Terms** from being signed up to. The Landowner's agent confirmed that the railway crossing to the South, would not be agreed at this stage, due to the sale of the land to the South of the railway line. The Applicant will have to negotiate with the new owners. The Applicant confirmed with the Landowner's agent that the prospective purchaser was aware of the Applicant's project and DCO application. The Landowner's agent confirmed that it would be acceptable to remove the section of land which was being sold from the **Heads of Terms** documentation and that they will inform of the Applicant of the new owners once the transfer has happened.

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has had detailed dialogue with the Landowner and the Landowner's agent commencing from January 2021.
- Written correspondence both via emails and letters have been issued to the Landowner and the Landowner's agent across this period as evidenced by the Landowner Engagement Tracker (below).
- Early correspondence in **2021** and **2022** with the Landowner and the Landowner's agent sought to agree terms for a non-intrusive ecology survey licence and allow permission for ecology surveys to be undertaken.
- The Applicant informed the Landowner in **March 2022** that trial trenches would be required to investigate some anomalies from the geophysical survey relating to potential archaeological remains.
- The Landowner's agent responded in an email dated **22nd March 2022** confirming this would be an impossible request due to Network Rail occupying part of the field whilst undertaking improvement works to Arundel Junction and requested the trial trenching to be re-scheduled in **October 2022**.
- The Applicant opened negotiations with the Landowner and the Landowner's agent, in **September 2022**, to enter into a **Deed of Variation** to vary the Survey Licence (for non-intrusive ecological surveys) for the intrusive trial trenching works.
- The Applicant met with the Landowner and the representatives of the Applicant on-site, on **14th October 2022**, to discuss access and timings of the trial trenching works.
- The Landowner's agent provided the Applicant with further information in **November 2022** in relation to the landfill area and the Landowner's proposed solar farm extension development plans.
- Due to the weather constraints and the Landowner not being willing to permit access along the track (to the South of the farmstead) the trial trenching works were re-scheduled again until early **Spring 2023**.
- The Applicant continued negotiations with the Landowner's agent and the Deed of Variation was signed on 1st
 March 2023 to enable the trial trenching works to commence on 6th March 2023.
- The trial trenching works were successfully undertaken, and the land was reinstated to the Landowner's satisfaction.
- The Applicant issued Heads of Terms to the Landowner in March 2023.
- The Applicant provided the draft Option Agreement and the draft Deed of Easement to the Landowner's agent, upon request, in **September 2023**.

IMPACT ON LAND INTEREST

• The construction corridor will have an impact on the day-to-day farming activities and accommodation works will be required to mitigate this.

PROPOSED MITIGATION

- The Applicant's proposed accommodation works (i.e. crossing points) will mitigate the impact of the severed land, allowing day-to-day farming operations to continue.
- The Applicant has confirmed it will respond to any plans put forward for development in order that an assessment of compatibility can be made

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

• The Landowner and or the Landowner's agent need to provide more details on the Landowner's cited development proposals to understand impacts and what mitigation can be achieved.

- The Applicant will need to consider whether any commitment can be given to seek to keep the construction corridor / easement strip as far west as possible, to mitigate the impact on the development proposal of the farmstead.
- The Landowner's agent has requested updated copies of the travelling draft Option and Deed of Easement once minor amendments have been made by the Applicant.
- The Applicant will update the Option Plan to remove that part of the Landowner's land which is currently in the process of being sold.

ALTERNATIVES / REFINEMENTS – REVIEWED AT THE LAND INTEREST'S 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
7 th October 2021	Landowner request to move the cable route – West – closer to the railway line.	Rejected	The engineering team assessed this option and noted that this would lengthen the cable route and extent the length of the cable route through the landfill and would interact with Network Rail's railway track potentially causing further consenting issues with Network Rail. The environmental team have flagged this alternative route has a high chance of being impacted by archaeological works.

	ccess through these fields is through a series of gates that lie on	
	stern boundary of the fields. The Landowner is requesting that ble route is moved West towards the railway line to reduce the	
impact	t on his farming business as well as reduce the number of	
	tial cattle crossing points that may be required, should the cable not be altered.	
to the farming	andowner's position is that there is a possibility that should access fields not be available that this may result in the viability of his ng business being severely impacted upon, to the point it could the Landowner to retire / go out of business.	

CJ Negotiations/Contact Summary	Date of Contact	Method of Contact
EM from Andrew Thomas (Henry Adams) re	19/02/2021	Email
Hutchings		
> Hutchings family are the owner-occupiers of		
Brookbarn Farm.		
> Concerned about the cable route.		
> Much more landfill than Rampion might be aware of		
(as shown on the attached plan).		
> Concerns in relation to proposed residential		
development of Brookbarn Farm - insist cable route		
avoids this area.		
EM to Andrew Thomas (Henry Adams) re Hutchings	19/02/2021	Email
WSX373211 and WSX244867		
> Rampion would like to undertake a range of walk over		
assessments in the coming months - attach survey		
licence for consideration.		
> Willing to split the two titles into separate licences.		
	19/02/2021	Email
EM from Andrew Thomas (Henry Adams) re	19/02/2021	
Hutchings WSX373211 and WSX244867		
> Confirmed "yellow" area belongs to Hutchings.		
EM from Andrew Thomas (Henry Adams) re	16/03/2021	Email
Hutchings - Brookbarn Farm		
> Confirmed in principle Tim Hutchings and siblings are		
willing to enter into licence agreement.		
> Raised potential issue with cattle being just put out to		
pasture.		
> Confirmed that TH will require notifying of each and		
every visit.		
EM to Andrew Thomas (Henry Adams) re Hutchings -	16/03/2021	Email
Brookbarn Farm		
> Confirmed this is positive news.		
> Noted concerns.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	25/05/2021	Email
Mssrs Hutchings - Licence Agreements	20/00/2021	
Attached survey licence agreements and Payment		
Information Request Forms.		
> Requested survey licences to be signed and returned.	05/05/0001	Email
EM from Andrew Thomas (Henry Adams) re Rampion	25/05/2021	Email
II - Mssrs Hutchings - Licence Agreements		
> Confirmation that the survey licences are nearly		
complete - unregistered land should be under Executors		
of Stanley Hutchings.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	27/05/2021	Email
Mssrs Hutchings - Licence Agreements		
> Attached revised survey licence agreements and		
Payment Information Request Forms.		
> Requested survey licences to be signed and returned.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	11/06/2021	Email
Mssrs Hutchings - Licence Agreements		
> Chasing response to email dated 27 05 21.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	15/06/2021	Email
Mssrs Hutchings - Licence Agreements	10/00/2021	
> Chasing response to email dated 27 05 21. EM from Andrew Themes (Honey Adams) to Dominant	15/00/0001	
EM from Andrew Thomas (Henry Adams) re Rampion	15/06/2021	Email
II - Mssrs Hutchings - Licence Agreements		
> Confirmation that the licence agreements have been		
recommended to be signed by AT.		

EM to Andrew Thomas (Henry Adams) re Rampion II -	15/07/2021	Email
Survey Access Request - Mssrs Hutchings		
> Requested non-intrusive survey access for bat		
surveys.		
MEETING (Landowner Surgery) Michael Hutchings,		
Andrew Thomas (Henry Adams), Jenn Bryden (RWE)	23/07/2021	Other
and Nigel Abbott (CJ)		
EM to Tim Hutchings re Rampion II - Survey Access	26/07/2021	Email
Request		
> Requested non-intrusive survey access for bat		
surveys.	00/07/0004	F
EM from Tim Hutchings re Rampion II - Survey	26/07/2021	Email
Access Request > Confirmation that TH is not willing to allow surveys,		
mentioned issues with neighbouring housing estate, will		
not allow any surveys in his garden.		
 Requested a more suitable route to be drawn up. 		
EM to Tim Hutchings re Rampion II - Survey Access	17/08/2021	Email
Request - Wk c. 23 08 21		
> Requested non-intrusive survey access for bat		
surveys.		
EM to Tim Hutchings re Rampion II - Survey Access	07/09/2021	Email
Request - Wk c. 13 09 21		
> Requested non-intrusive survey access for bat		
surveys.		
EM to Tim Hutchings re Rampion II - Geophysical	07/09/2021	Email
Survey Access Request - Wk c. 27 09 21		
> Requested non-intrusive geophysical survey access. EM from Tim Hutchings to Remnian II. Coophysical	07/00/0001	Email
EM from Tim Hutchings re Rampion II - Geophysical Survey Access Request - Wk c. 27 09 21	07/09/2021	Email
Survey Access Request - WK C. 27 09 21 > Confirmed that he has no grass to move his cattle to -		
and therefore cannot accommodate the survey.		
EM from Tim Hutchings re Rampion II - Survey	10/09/2021	Email
Access Request - Wk c. 13 09 21		
> Confirmed survey access.		
EM to Sally Eyres re Rampion II - Survey Access - Wk	14/09/2021	Email
c. 20 09 21		
> Requested non-intrusive survey access for tree		
surveys.		
EM from Sally Eyres re Rampion II - Survey Access -	15/09/2021	Email
Wk c. 20 09 21		
> Confirmed survey access. EM to Solly Evrop to Pompion II. Londowner Surgery.	16/00/0001	Emoil
EM to Sally Eyres re Rampion II - Landowner Surgery - Minutes - 23 07 21	16/09/2021	Email
 Attached Meeting Minutes (Landowner Engagement 		
Form).		
EM to Sally Eyres re Rampion II - Survey Access - Wk	27/09/2021	Email
c. 20 09 21		
> Requested non-intrusive geophysical survey access.		
EM to Tim Hutchings & Sally Eyres re Rampion II -	07/10/2021	Email
Survey Access Request - Wk c. 11 10 21		
> Requested non-intrusive survey access for soil survey		
and tree survey.	<u></u>	– "
EM from Tim Hutchings re Rampion II - Survey	08/10/2021	Email
Access Request - Wk c. 11 10 21		
> Confirmed access - but commented that cattle cannot		
currently be moved. EM to Tim Hutchings & Sally Eyres re Rampion II -	12/01/2022	Email
	12/01/2022	LIIIdii
Survey Access Request - Wk c. 17 01 22		

EM from Tim Hutchings re Rampion II - Progress Update Meeting	11/04/2022	Email
> Confirmed TH cannot accommodate a meeting until TH has turned out his cattle.		
EM to Tim Hutchings & Sally Eyres re Rampion II - Survey Access Request - Wk c. 23 05 22	06/05/2022	Email
> Requested non-intrusive survey access for a eDNA		
survey of ponds / ditches.		
EM from Tim Hutchings re Rampion II - Survey Access Request - Wk c. 23 05 22	06/05/2022	Email
> Confirmed access is refused - as has just turned out		
his cows with calves - advised people to stay clear.		
EM from Andrew Thomas (Henry Adams) re Hutchings	06/06/2022	Email
> Confirmed seeking update on where things are with		
Hutchings at Brookbarn Farm - keen to discuss solar		
farm.		
EM to Andrew Thomas (Henry Adams) re Hutchings	14/06/2022	Email
> Requested to meet and requested availability on times		
and dates. EM from Andrew Thomas (Henry Adams) re	14/06/2022	Email
Hutchings	14/00/2022	
> Confirmed uncomfortable suggesting meeting with TH,		
until some progress is made in relation to the solar farm.		
EM to Andrew Thomas (Henry Adams) re Hutchings	14/06/2022	Email
> Suggested NA & AT hold TEAMS call - requested availability.		
EM to Andrew Thomas (Henry Adams) re Hutchings	14/06/2022	Email
> Confirmation of TEAMS call with AT on 15 06 22.		
TEAMS Call with Andrew Thomas (Henry Adams) re Messrs Hutchings (Brookbarn Farm)	15/06/2022	Telecom
Tel. con with Andrew Thomas (Henry Adams) re	07/09/2022	Telecom
Brookbarn Farm Trial Trenching		
> Sought to set up on-site meeting with Wood (accloaists) to discuss trial tranching requirements		
(ecologists) to discuss trial trenching requirements.	21/09/2022	Email
	21/09/2022	Email
(ecologists) to discuss trial trenching requirements. EM from Andrew Thomas (Henry Adams) re Tim - Hutchings - Rampion 2 > Confirmed conflict so requested to reschedule for the	21/09/2022	Email
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 (ecologists) to discuss trial trenching requirements. EM from Andrew Thomas (Henry Adams) re Tim - Hutchings - Rampion 2 Confirmed conflict so requested to reschedule for the following week. Confirmed that Network Rail are in the process of demobilising from site. Requested details of archaeological survey results and an up-to-date plan in advance of meeting. EM to Andrew Thomas (Henry Adams) re Tim - Hutchings - Rampion 2 Confirmed awaiting Wood to confirm their availability on 14 10 22. Requested Wood to share the geophysical survey results. Requested whether TH would be willing to sign up to a new licence (for a slightly larger area). EM to Andrew Thomas (Henry Adams) re Tim - Hutchings - Rampion 2 Attached results of the geophysical survey. Confirmed Wood can attend meeting on 14 10 22. 	30/09/2022 04/10/2022	Email

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EM to Andrew Thomas (Henry Adams) re Tim -	21/10/2022	Email
Hutchings - Rampion 2		
> Attached Meeting Notes of Meeting held on 14 10 22.		
> Confirmed TH seemed willing to permit trial trenching.		
> Requested use of the track to the South and take		
access over reinstated Network Rail used grass.		
> Confirmed proposed start date of 14 11 22.		
> Requested confirmation that an agreement may be reached with TH, MH & SE before 14 11 22.		
EM from Andrew Thomas (Henry Adams) re Landfill	01/11/2022	Email
> Attached landfill plan.	01/11/2022	Linan
EM from Andrew Thomas (Henry Adams) re Solar	01/11/2022	Email
Farm Areas	01/11/2022	Linan
> Attached solar farm areas plan.		
EM from Andrew Thomas (Henry Adams) re Tim	09/11/2022	Email
Hutchings - Trench Works		
[Without Prejudice]		
EM to Tim Hutchings & Sally Eyres re Rampion II -	06/12/2022	Email
Survey Access Licence Renewal		
> Attached new 12-month survey access licences.		
> Confirmed that the Executors of Stanley Hutchings		
licence includes new areas to North of the railway.		
> Requested the licences are signed and returned to CJ.	01/10/0000	Email
EM to Andrew Thomas (Henry Adams) re Tim Hutchings - Trench Works	21/12/2022	Email
> Requested to review / re-visit this in the New Year as		
Rampion would like to undertake the trial trenching at the		
end of January / start of February 2023.		
> Wood / WSP are insisting on using the track to the		
South rather than navigate through the farm buildings.		
> Confirmed that should voluntary agreement not be		
reached Rampion will use statutory powers to facilitate		
these works.		
> Requested whether TH, MH & SE are willing to sign		
and return the survey access licence agreements.		1
EM to Tim Hutchings & Andrew Thomas (Henry	06/01/2023	Letter
Adams) re Rampion II - Brookbarn Farm - Trial		
Trenching > Attached Section 172 letter, notice and accompanying		
schedule.		
EM from Andrew Thomas (Henry Adams) re Trenches	09/01/2023	Email
at Brookbarn Farm		
[Without Prejudice]		
EM from Andrew Thomas (Henry Adams) re	09/01/2023	Email
Hutchings - Licences		
> Attached signed non-intrusive survey licences.		—
EM to Tim Hutchings re Rampion II - Brookbarn Farm,	01/02/2023	Email
Courtwick Lane, Wick, Littlehampton (Tim Hutchings)		
New Gates / Reinstatement		
> Requested on-site meeting with Woodmancote Contractors on 06 02 23		
Contractors on 06 02 23. EM from Tim Hutchings re Rampion II - Brookbarn	01/02/2023	Email
Farm, Courtwick Lane, Wick, Littlehampton (Tim	01/02/2023	
Hutchings) New Gates / Reinstatement		
> Confirmed availability to meet on 06 02 23.		
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	Survey Access Request		
breeding bird survey			
	breeding bird survey.		

EM from Tim Hutchings re Rampion II - Breeding	05/05/2023	Email
Birds - Survey Access Request		
> Re-affirmed cattle with young calves unable to be		
moved out of fields - unable to grant access.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	21/06/2023	Email
Hutchings - Unilateral Notice Query		
> Enquiring as to an Option Agreement captured on		
Hutchings title document - requested copy of unilateral		
notice on the title, and details of what the Option		
Agreement relates to.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	27/06/2023	Email
Hutchings - Unilateral Notice Query		
> Chasing AT for update on email dated 21 06 23.		
EM to Andrew Thomas (Henry Adams) re Rampion II -	03/07/2023	Email
Hutchings - Unilateral Notice Query		
> Chasing AT for update on email dated 21 06 23.		
EM to Tim Hutchings & Sally Eyres re Rampion II -	14/08/2023	Email
DCO Submission		
EM to Tim Hutchings re Rampion II - Geophys -	15/08/2023	Email
Survey Access Request - Wk c. 04 09 23		
> Requested non-intrusive geophys survey access.		
EM to Tim Hutchings & Sally Eyres re Rampion 2	08/09/2023	Email
Offshore Wind Farm - Application accepted for	00/00/2020	Emai
Examination by Planning Inspectorate		
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EM to Tim Hutchings & Sally Eyres re Rampion 2 -	19/09/2023	Email
Archaeology Survey Report		
> Attached Archaeology Survey Report	/	
EM to Andrew Thomas (Henry Adams) re Documents	29/09/2023	Email
> Attached Draft Option and Draft Deed of Easement		
documents.		
Tel. con with Andrew Thomas (Henry Adams) re	24/05/2024	Telecom
Heads of Terms		
> Confirmed that TH is seeking to retire.		
> Confirmed that there is TB testing in the area and that		
the cattle cannot leave the farm (for the next 12 months).		
> Confirmed main issue is that a bespoke clause is		
required to accommodate Network Rail access over the		
easement strip.		
LTR to Tim Hutchings & Sally Eyres re Rampion 2 -	06/06/2024	Letter
Agent's Fees Clarification		
EM to Tim Hutchings & Sally Eyres re Rampion 2 -	26/06/2024	Email
Revised Heads of Terms		
> Attached revised Heads of Terms.		
EM to Andrew Thomas with Revised Key Terms with	15/07/2024	Email
Additional Wording		
> Wording addressing Network Rail protections.		
MEETING Andrew Thomas (Henry Adams), Harry		
Hyde (RWE) and Nigel Abbott (CJ) at Henry Adams	15/07/2024	Site Visit
Office, Chichester		

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.