

Rampion 2 Wind Farm **Category 4: Compulsory Acquisition**

Land Engagement Reports: Tim Facer

Date: August 2024 Revision A

Application Reference: 4.6.13

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

Ecodoc Reference: 005279370-01



Document revisions

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

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|---------------------------------------|--|--------------------------|---|
| LANDOWNER/ LAND INTEREST NAME: | Tim Facer | URN on LRT: | 013 |
| AGENT: | Robert Crawford Clark (Henry Adams) (RCC) | Relevant Rep Ref: | RR-393 |
| PROPERTY NAME: | Cratemans Farm 19.44 acres with DCO Order Limits (potentially affected by scheme) | Other Rep Ref: | PEPD-106 REP4-132 REP4-140 REP5-182 |
| LAND INTEREST: | Category 1 / Category 2 Works 09 – Cable Installation Works Works 14 – Construction Operational Works 15 – Operational Access | PLOT No: | Freehold - 31/3, 31/4, 31/5, 31/6, 32/1 Rights of Access – 31/8, 31/9, 31/12, Unregistered Land- 31/7 |

STATUS

The Applicant has consulted with the Landowner and their appointed agent since April 2021 and assessed alternative routes and mitigation as part of the negotiations, demonstrating meaningful consultation and engagement.

As part of this process the Applicant changed the route in order to mitigate impact on the residential aspect of the Property as well as minimise the operational access area. In addition clarification was provided on commitments regarding a proposed construction haul road alongside other commercial points.

The Property comprises pasture land affected by the proposed Rampion 2 cable route currently used for grazing and haylage. Operational access is proposed alongside the Landowner's driveway and across 2 fields, as well as a Construction Access area for a haul road impacting additional fields to the north-west of the Property.

The Applicant has discussed mitigation measures extensively with the Landowner's Agent and provided an updated Heads of Terms plan in order to progress negotiations.

Since the Applicant first provided Heads of Terms on 15 March 2023 (16 months ago), a response has not been received from the agent on the details within the Heads of Terms with specific reference to the Landowner.

Revised Heads of Terms (with a revised commercial offer) were issued in June 2024, and the Applicant has not yet received feedback on these.

The land interest's agent submitted queries in respect of the Option and Easement document on 1 July 2024, to which the Applicant responded on 30 July 2024 and is currently awaiting a response from Robert Crawford-Clarke.

NEGOTIATIONS FOR VOLUNTARY ACQUISITION OF RIGHTS

- **Heads of Terms were issued on 15 March 2023.**
- The issuance of Heads of Terms followed various site meetings and route amendments that had been assessed following feedback from the site meetings. The final route submitted as part of the DCO Order Limits was one that went as far as practically possible to reflect the Landowner's requests and minimise the impact on the residential dwelling whilst having consideration for environmental constraints within the area. Although the haul road remains to the west to make use of an existing gateway and to avoid being located within flood zones 1 and 2, the cable route has been amended in this location to take it further to the East of the farm and away from the residential property, to minimise disruption as much as possible. The original PEIR boundary included a greater proportion of the farm within it compared to the current Proposed DCO Order Limits, which were reduced prior to submission.
- **A detailed letter was sent to the Landowner and their agent on 17 October 2023** to respond to queries raised as a result of the latest consultation and subsequent emails. This was included at Appendix 10 within the Applicant response at Deadline 1 Submission 8.24 [REP1-017].
- **The Landowner's Agent confirmed on 23 October 2023 that the Landowner would like to work collaboratively** with the Applicant to agree terms.
- **A site meeting was held on 12 December 2023** to work collaboratively on outstanding issues.
- **The Applicant provided a response to comments raised within RR-393, which includes matters relating to the following:**
 - Route Amendments
 - Impacts and Mitigation on Agricultural Uses

- Order Limits
- Survey Results
- Electro Magnetic Fields
- New Water Main
- Code of Construction Practice
- Historic Environmental Impacts
- Use of Dragons Lane for Operational access
- Transport considerations
- Construction Traffic Management Plan
- Comments raised at the Issue Specific Hearing
- A letter was sent Mr Facer on **28 February 2024** to summarise the points **raised at the meeting on 12 December 2023** and provide comfort regarding the proposals.
- The Applicant sent the **Landowner a letter in March 2024** requesting feedback on the Heads of Terms, followed by **emails to the Landowner's Agent in March and April 2024**.
- In **May 2024** following a request from the Landowner's Agent, the Applicant sent a **revised plan to accompany the Heads of Terms plan (with the inclusion of an indicative crossing area) to the agent**.
- The Applicant sent over **revised Heads of Terms on 28th June 2024 with a revised commercial offer to progress discussions and reach agreement**.
- **The Applicant is awaiting feedback on the revised Heads of Terms with respect of specific points impacting Cratemans Farm.**
- The Applicant has received generic comments from the landowner's agent in respect of the Option and Easement documentation to which it responded on **30 July 2024**.

PROGRESS OF NEGOTIATIONS TO ACQUIRE LAND RIGHTS FOLLOWING CAH 1

- Following CAH1, the Applicant **sent a Letter to the Landowner on the 6 June 2024** to clarify the position in respect of professional fees.
- The Applicant **issued revised Heads of Terms on 28 June 2024 to the Landowner and to the Landowner's Agent on 8 July 2024. These had an enhanced commercial offer to help progress discussions and reach agreement.**
- On **1 July 2024** the Applicant received comments from the Landowner's Agent on the Option and Easement documentation which was issued to the Landowner's agent in **October 2023**, the first set of formal comments on any documentation the Applicant has received from the Landowner's Agent.
- **The Applicant responded to the comments on the Option and Easement documentation (which was sent by the agent on 1 July 2024, having been received in October 2023) on 30 July 2024.**
- **The Applicant is awaiting feedback on the revised Heads of Terms from the Landowner's Agent**

LANDOWNER ENGAGEMENT (2021 to 2024)

- The Applicant has been in regular correspondence with the Landowner and their agents since April 2021.
- **Six site meetings** have been held in **May 2021, August 2021, January 2022, April 2022, December 2023, and May 2024**.
- At the earlier meetings in 2021 and 2022, the Landowner expressed concerns about the proximity of the proposed cable route to their dwelling, the preference for the route to be as far away as possible from their property, concerns over a historic water pipe which their feared might be damaged by the proposals, concerns over risk of legionnaires disease, soil maintenance concerns, highlighted the public footpaths in the area, magnetic fields and preference for the alternative substation location (which would mean their land was unaffected).
- As a result, two route Options were considered on the Property (Option A and Option B). These are summarised within the letter submitted at Appendix 10 within the Applicant response at Deadline 1 Submission 8.24 [REP1-017. The most suitable route was taken forwards to the final DCO Order Limits.
- Further to various matters raised by the landowner, a letter was sent on 17th Oct 2023 responding on the following matters:
 - - Environmental surveys
 - - Rationale for DCO boundary width
 - - Movement of the cable entry point further east following on from the landowner's consultation response
 - - Flood risk constraints restricting further changes
 - - Temp haul road location
 - - Potential solar farm
 - - Listed building impacts on Cratemans farm
 - - Response in relation to risk of legionella
- The letter is appended to this LER.
- At the 12 December 2023 meeting attended by the engineers, land agent and land transaction manager, detailed discussions took place regarding, ecological value of the hedgerows, replacement of old copper water

pipe, haul road route and operational access route. A subsequent offer for replacing a section of water pipe was made in writing (letter dated 28 February 2024 as appended to this document).

- The letter of 28 February 2024 set out detailed explanations for the rationale for the proposed DCO order limits with accompanying plans.
- The Applicant's consents manager and land transaction manager met with the Landowner in March 2024 and discussed the following matters:
 - Construction access
 - Accompanied Site Visit by the Inspectorate
 - Landscape planting
 - Fresh water supply and pipe replacement

A more detailed summary of engagement is included within the schedule below.

ALTERNATIVES – REVIEWED AT THE LANDOWNER'S REQUEST

- Following feedback from the Landowner and their agent, the cable route was amended to take the cable route further to the east/ south and away from the residential aspect of the Property. The amended route was presented to the Landowner at a **site meeting in April 2022, and subsequently consulted on with the Autumn 2022 Consultation (TC-18, MR-13, TC-17 and MR-12).**
- This change in the red line boundary **moved the cable route further east and away from the residential property. The cable route was there moved as far as possible to the east of the title boundary at the northern and the southern end of their title.**
- **The Operational access area to the north of the Property was also reduced.**
- **The haul road was retained (as detailed above)**

COMMITMENTS

- The Applicant made the following commitments in order to progress negotiations, following a **site meeting in December 2023.**
- Firstly **siting of construction haul road** confirmed likely to be 6m in width in a specified area dependent on ecological and engineering constraints.
- Secondly, further to concerns raised about the fragility of an existing copper water pipe feeding the Property, the Applicant also committed to a section of replacement blue MDPE water pipe ahead of the works.

IMPACT ON LANDOWNER

- The Property comprises pasture land affected by the proposed Rampion 2 cable route that is used for grazing and haylage. A proportion of the pasture land is affected by the proposed cable route, shown as (Works No. 9) on the Onshore Works Plans [PEPD-005], for which a package of Cable Rights and a Cable Restrictive covenant are sought. The area of the pasture land affected comprises Plots 31/4 and 32/1 as shown coloured in blue on the Land Plans Onshore [PEPD-003].
- Two of the Landowner's fields are affected by a proposed operational access (Works No. 15), for which operational access rights are sought to access the cable route. These areas comprise Plots 31/5, 31/6, as shown coloured blue in the Land Plans Onshore [PEPD-003].
- The Landowner's driveway is also included within the Order Limits as a proposed operational access (Works No.15). The Landowner owns the eastern section of the driveway to Crateman's Farm which include Plots 31/7 and part of Plot 31/6.

In addition, there is a proposed construction and operational access area (Works No. 14) which extends further to the west of the farm, for which construction and operational access rights are sought. The area of the farm affected by Works No.14 comprises Plot 31/3 and 31/5.

IMPLICATIONS OF IMPACT

- **Temporary** loss of grazing/ crop loss, potential route to claim via a disturbance claim for the occupier of the land.
- **Possibility of temporary severance between parts of the farm.**
- **Temporary** noise / view of the cable installation from the residential aspect of their property.

PROPOSED MITIGATION

- **Mitigation of access issues to be included where possible with crossing points/ accesses across fields.**
- **Route to a compensation claim in respect of the occupier of the land – likely for crop loss and disturbance.**
- **The impact of noise / view of the cable installation has been mitigated via a route change to the east as presented to the Landowner in April 2022 and summarised within various letters.**

- Working with the landowner to identify potential services impacted, provision of new water pipe and other Agricultural Liaison matters as set out in the Deadline 5 Submission - 7.2 Outline Code of Construction Practice Rev E [REP5-064].

OUTSTANDING ISSUES DELAYING CONCLUSION OF VOLUNTARY AGREEMENT

- The Applicant has yet to receive a response from the Landowner's Agent on the revised Heads of Terms issued on 28 June 2024 but will continue to engage in order to explore ways to further mitigate the impact of temporary construction activities, which should be possible when detailed design is further progressed.

| CJ Negotiations/Contact Summary | Date of Contact | Method of Contact |
|--|------------------|-------------------|
| Introductory letter sent | 24/11/2020 | Letter |
| RFI returned | November 2020 | Letter |
| Tim Facer emailed Richard Fearnall confirming that he has appointed Robert Crawford-Clarke (RCC) as his agent and Fearnall responded | 27/01/2021 | Email |
| Simon Mole (SM) of Carter Jonas emailed RCC regarding landowner meeting dates | 27/04/2021 | Email |
| RCC declined meeting as on leave | 28/04/2021 | Email |
| Email from Lucy Tebbutt (LT) to RCC summarising the information required for licences. | 28/04/2021 | Email |
| RCC requested copies of licences | 28/04/2021 | Email |
| LT sent licences | 01/05/2021 | Email |
| RCC requests plans to be redrawn | 05/05/2021 | Email |
| LT sends changes to licence, RCC responds, holding email from LT | 06/05/2021 | Email |
| LT sent updated plans and licences | 07/05/2021 | Email |
| Chaser letter sent to Mr Facer requesting access for surveys and touching on the prospect of S.172 | 10/05/2021 | Letter |
| LT sent RCC the finalised survey licence and payment form for Mr Facer | 10/05/2021 | Email |
| Email summary from RCC detailing Mr Facer's concerns with the route. | 12/05/2021 | Email |
| Email to RCC - to start the s.172 process | 15/05/2021 | Email |
| Email response from RCC re s.172 email | 17/05/2021 | Email |
| Email response from RCC providing an image of the Facer' 'acceptable' route - AND removal of the confidentiality agreement | 17/05/2021 | Email |
| Email from James D'Alessandro (JDA) to Facer/ RCC | 17/05/2021 | Email |
| JDA responds to RCC with Vaughan Weighill of RWE (VW) and SM in cc | 19/05/2021 | Email |
| LT sent summary of outstanding issues to RCC. RCC added comments on 21/05 | 20/05/2021 | Email |
| Updated licence sent to RCC | 21/05/2021 | Email |
| Site Meeting - Nigel Abbott (NA) and RCC attended - Engagement note saved on file | 21/05/2021 | Site Meeting |
| RCC provided the signed licence via email | 25/05/2021 | Email |
| Survey Licence Signed and dated. Payment forms were sent over 26.05.2021 by RCC via email. RCC emails requesting withdrawal of 172 notice | 28/05/2021 | Via Land Agent |
| Email from Mr Facer to LT requesting a hard copy of the licence | 01/06/2021 | Email |
| S.172 Withdrawal email sent to Mr Facer | 01/06/2021 | Email |
| Tim Facer acknowledged receipt of the licence and payment and allowed surveys | 01/06/2021 | Email |
| Various emails detailing surveys required | June - Sept 2021 | Email |
| Email from RCC, sent originally by Mr Facer, asking why there was an unregistered notice | 08/06/2021 | Email |

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| erected on Dragon's Lane, Will Gullett Carter Jonas (WG) responded | | |
| Email from Mr Facer detailing that the breeding birds surveyors had not turned up. RCC followed up saying this was the 3rd time this had happened | 11/06/2021 | Email |
| Email from Mr Facer re pond and bird surveys | 17/06/2021 | Email |
| Email from RCC questioning the validity of using PROW for surveys | 18/06/2021 | Email |
| Statutory Letter - Section 42 | 14/07/2021 | Letter |
| Landowner Surgery - SM and JDA met with Mr Facer. Eleri Wilce of RWE (EW) was the 'floating rep' - notes on file | 22/07/2021 | Landowner Surgery |
| Site Meeting | 23/07/2021 | Other |
| Confirmation of site meeting sent to Tim Facer | 06/08/2021 | Email |
| Site Meeting - LT and WG attended. JDA at 4:30pm. Darren Jones and EW also attended | 11/08/2021 | Site Meeting |
| Email from Mr Facer asking if 3 route options will be surveyed | 13/08/2021 | Email |
| Email from Mr Facer chasing previous email | 16/08/2021 | Email |
| Email from Mr Facer to LT requesting a response to his email | 17/08/2021 | Email |
| LT responds to Mr Facer's email with details of who was on site etc | 18/08/2021 | Email |
| Email from Mr Facer stating ecologists didn't show | 18/08/2021 | Email |
| Email from Mr Facer explaining that he requested the ecologist to survey all the fields. LT responds on 23/08 | 21/08/2021 | Email |
| Email from Facer requesting that 3 routes are surveyed | 02/09/2021 | Email |
| Engagement Summary for Mr Facer sent to RCC | 24/09/2021 | Email |
| Email from RCC with additional comments in the engagement notes | 27/09/2021 | Email |
| RCC sends over the engagement note again with additional amendments | 29/09/2021 | Email |
| Email from Mr Facer to EW requesting explanation as to why the 'operational area' has been included within the works plans beside their house | 05/10/2021 | Email |
| LT emails Mr Facer regarding survey queries, Mr Facer responds on 10/11 | 09/11/2021 | Email |
| Consultation Response from RCC - Mr T FACER, : Concerns raised associated with location and alignment of cables in vicinity of property, surveys, extent of red line DCO submission boundary, access routes, proposed development and water main connection. | 02/12/2022 | Consultation Response |
| LT sent email about delayed surveys | 14/01/2022 | Email |
| Mr Facer confirmed 3 day notice | 14/01/2022 | Email |
| Call with Mr Facer to discuss route | 17/01/2022 | Telecom |
| LT requests meeting with Facer | 18/01/2022 | Email |
| Site Meeting - LT and RCC attended | 21/01/2022 | Site Meeting |
| RCC requests plans from JDA | 25/01/2022 | Email |
| JDA sent plans of the route to RCC and RCC confirmed receipt | 25/01/2022 | Email |

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| RCC submitted representation for Mr Facer, JDA responds on 28/01 | 25/01/2022 | Email |
| Facer emails NA and RCC explaining he thought the operational area had been removed as it was a 'mistake'. | 07/02/2022 | Email |
| Nigel responded to the email from 7.2.22 | 08/02/2022 | Email |
| Response from RCC stating concerns | 14/02/2022 | Email |
| Email from Mr Facer explaining that the surveyors for soil testing did not turn up | 20/02/2022 | Email |
| LT responds to RCC query and will pass onto surveyors | 24/02/2022 | Email |
| RCC asked for clarification | 25/02/2022 | Email |
| Mr facer emailed requesting that the operational area is removed from the DCO boundary | 25/02/2022 | Email |
| LT responded to Mr Facer's email on 25.2.22 | 02/03/2022 | Email |
| LT sent survey update, Mr Facer requested results of nesting birds survey on 04/03 | 03/03/2022 | Email |
| Site Meeting - WG and RCC attended explained the re route - walked through the fields. Explained reason for HDD | 25/04/2022 | Site Meeting |
| Email from LT to Mr Facer detailing upcoming surveys and confirming that meeting notes will be provided in due course | 18/05/2022 | Email |
| Phone call and letter from LT to update landowners on the substation decision | 13/07/2022 | Telecom/ Letter |
| LT sent a summary email detailing why construction road is required on their land. LT also attached the updated survey licence and payment information form for their signature | 22/08/2022 | Email |
| Mr Facer responded to above email requesting everything in PDF/ sent over in hard copy. | 23/08/2022 | Email |
| Email from RCC to the Applicant regarding meeting notes, conversation between LT and RCC regarding notes | 23/08/2022 - 07/09/2022 | Email |
| Engagement summary sent to RCC for 21.2.22 and 25.4.22 | 07/09/2022 | Email |
| Courtesy Call prior to the start of consultation | 13/10/2022 | Telecom |
| Statutory Consultation Letter - Section 42 | 14/10/2022 | Letter |
| Mr Facer requested a print out of the maps sent in hard copy and again requested the survey data | 17/10/2022 | Email |
| LT responded to Mr Facer's email from 17.10.2022 with comments | 17/10/2022 | Email |
| LT emails Mr Facer with a summary of the surveys conducted, Facer responds asking for results on 19/08 | 18/10/2022 | Email |
| JDA emails RCC asking when licences will be signed | 03/11/2022 | Email |
| RCC responds and states he is waiting for a PDF | 04/11/2022 | Email |
| LT re circulates licences | 04/11/2022 | Email |
| RCC requests plans to be included | 11/11/2022 | Email |
| New 6 month licence sent to RCC for Mr Facer | 14/11/2022 | Email |
| RCC responded to LTs email requesting that a larger area is incorporated into the survey plan | 14/11/2022 | Email |

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| LT responded to RCCs email explaining that it is not possible to survey an area that has already been deemed unviable and re attached the engagement notes from 21.2.22 and 25.4.22 | 14/11/2022 | Email |
| Landowner Surgery - Facer attended Ashurst drop in event and spoke with JDA | | Landowner Surgery |
| Formal Consultation response sent by RCC dated 15/11/2022 | 15/11/2022 | Letter |
| Mr Facer emailed to confirm he had returned the survey licence along with his payment details. LT sends holding email | 16/11/2022 | Email |
| CJ received Mr Facer's licence | 23/11/2022 | Post |
| Mr Facer emailed LT requesting a senior member of the environmental team attends a group site visit to explain in detail viability of extending area. | 24/11/2022 | Email |
| RCC sent chaser to the Applicant regarding consultation response | 29/11/2022 | Email |
| Email from Facer requesting payment | 30/11/2022 | Email |
| Email from RCC stating licence has been signed, JDA response | 05/12/2022 | Email |
| Email from RCC demanding that a technical person is to call Mr Facer to explain the environmental challenges at Cratemans and the unviability of their route | 12/12/2022 | Email |
| Email from RCC explaining that Mr Facer believes the engineers said his route on site was viable. | 16/12/2022 | Email |
| LT emails RCC outlining the signed licence has been received but explaining that it will be the smaller area being surveyed, not the larger one as detailed in their plan. LT re-attached the engagement notes from 21.2.22 and 25.4.22. RCC confirmed on the same day that Mr Facer was aware of this. He also attached an email from Mr Facer explaining his unhappiness with the Haul Road, which he wished to be put on record. | 19/12/2022 | Email |
| KEY TERMS ISSUED via email and post | 15/03/2023 | Email |
| Email from RCC as a response to the key terms issued. He reiterated many of the points within the November representation documentation and set them out in an email. | 25/04/2023 | Email |
| LT responded to RCC to explain that a response to his email dated 25.4.23 is in process. LT also outlined there is an area of unregistered land on Dragons Lane and requested to see whether it was owned by Mr Facer | 23/06/2023 | Email |
| Mr Facer responded to the email explaining he did not know who owns that plot of land on Dragon's lane | 23/06/2023 | Email |
| Email from RCC requesting explanation as to why Dragons lane has been included within a map as a working strip. Map was hard to read and did not make sense | 17/07/2023 | Email |
| Chaser email from RCC regarding Dragons Lane, Vicky Portwain of RWE (VP) sent holding email | 14/08/2023 | Email |

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| VP sent RCC extract from works plans | 14/08/2023 | Email |
| Email to Mr Facer detailing that the DCO has been submitted | 14/08/2023 | Email |
| Statutory Letter - Section 56 | 25/09/2023 | Letter |
| Email from RCC regarding notice on Dragons Lane | 16/10/2023 | Email |
| LT email response to landowner responding to formal representation letter as well as attaching the unregistered notice. Hard copy also sent in post. Request from LT as to whether Mr Facer would work towards signing the Key Terms document. LT confirmed will provide copy of the Option and Easement documentation and outlined the position on payment of fees. | 17/10/2023 | Email |
| LETTER SENT TO MR FACER | 17/10/2023 | Letter |
| RCC sent confirmation of Dragons Lane ownership | 23/10/2023 | Email |
| RCC confirms Mr Facer would like to work towards signing the option and easement Mr Facer's position being that he wished to cooperate with the Applicant and deal with matters by agreement if at all possible, however Key Terms document was lacking in detail hence the need for the option and easement document | 23/10/2023 | Email |
| LT sends RCC the option and easement documentation noting that Mr Facer has reviewed the key terms and wishes to continue discussions on the matter. Comments requested from RCC so matters could move towards agreement of the Heads of Terms. | 24/10/2023 | Email |
| RCC requests word format documents | 24/10/2023 | Email |
| LT sends draft documents, RCC requests word format | 25/10/2023 | Email |
| LT notes draft document is a template to apply to all clients | 25/10/2023 | Email |
| RCC requests plans to go with documents | 25/10/2023 | Email |
| LT requests from RCC and Mr Facer access for a noise monitoring survey: A method statement and rough location issued. Request that Mr Facer sign and return the licence. | 25/10/2023 | Email |
| LT confirms to RCC via email that option area is the DCO boundary over an indicative cable route is shown on the key terms plan. | 26/10/2023 | Email |

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| Further info sent to Tim Facer re noise monitoring survey: Noise Monitoring Survey request by LT on position to allowing access for a noise monitoring survey. Licence issued June 2023. Survey Method Statement attached to ascertain base line noise levels in the area. Rough location of equipment detailed subject to Mr Facer's approval | 30/10/2023 | Email |
| RCC sends email from Mr Facer regarding licence fee payment and survey acceptance, RCC requests explanation | 03/11/2023 | Email |
| LT explained why new licence has to be signed | 06/11/2023 | Email |
| RCC sent email regarding payment of licence fee | 07/11/2023 | Email |
| Mr Facer sent concerns to the Applicant, LT states that issues have been addressed in letter | 08/11/2023 | Email |
| LT explains licence will be back dated and the Applicant will collect to arrange payment | 09/11/2023 | Email |
| Requesting site visit at Cratemans Farm LT from Mr Facer request to visit Cratemans Farm on Tuesday 12th December | 05/12/2023 | Email |
| RCC asks question re fees in attending the site meeting | 08/12/2023 | Email |
| LT confirms position on fees to RCC: | 11/12/2023 | Email |
| SITE VISIT = Engineering site visit: ACTION POINTS:: ' - Water main severed - Alternative operational access proposed - Concern over haul road - Reviewed hedges The Applicant - ' - Provide Mr Facer with hedgerow plans/ ecological summary - CJ to confirm to TF/ RCC that the waterpipe could be replaced as part of the works - LT to check whether the haul road can access via the 'hole in the hedge' or if it no longer viable as the DCO boundary has removed it - The Applicant to review proposed operational access | 12/12/2023 | Site Meeting |
| LT chased RCC for feedback on the key terms documents, including the Option and Easement documentation working towards agreement of the Key Terms in the New Year. | 21/12/2023 | Email |
| RCC responds on basis that cannot respond until feedback received from VP / NA on detail in email of 17th November. | 22/12/2023 | Email |

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| RCC emails LT and VP re haul road: | 24/01/2024 | Email |
| EMAIL from RCC RE Mr Facer: Concern raised over agenda for the Issue Specific Hearing 1 on 7th February - Environmental matters - under the section 'Effects of the Proposed Substation at Cowfold/Oakendene' Dragons Lane is listed as one of the items to be covered. | 29/01/2024 | Email |
| LT emails Mr Facer with details of the haul road: The Applicant has not changed the project since submission in 2023. As detailed in previous engagements, the cable corridor to be used for Cable installation works to include construction and operational access. Proposed Trenchless Crossing (TC-26) underneath Cowfold Stream and there is not proposed to be a haul road leaving the farm going northwards. | 30/01/2024 | Email |
| RCC requested list of surveys completed and where to find results | 06/02/2024 | Email |
| LT emails links from the PINS website to RCC | 06/02/2024 | Email |
| RCC requested location of information | 07/02/2024 | Email |
| LT emails RCC with more info on survey data being within links sent previously with details for Crateman's Farm and Sweethill Farm | 15/02/2024 | Email |
| LETTER sent to Mr Facer being a response to queries raised at site meeting in December 2023. Offer of water pipe replacement made. Detailed plans for crossings included | 28/02/2024 | Letter |
| LT confirms the Examining Authority is requesting 14 May 2024 - accompanied site visit to Crateman's Farm. | 11/03/2024 | Email |
| Mr Facer confirms meeting, RCC confirms on 18/03/24 | 11/03/2024 | Email |
| Chaser Letter Sent - re HOTs | 22/03/2024 | Letter |
| NA requests the Applicant site visit | 22/03/2024 | Email |
| Mr Facer accepts but requests call beforehand | 22/03/2024 | Email |
| Copy of chaser letter sent to RCC | 25/03/2024 | Email |

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| SITE VISIT & MEETING - Oliver Kirkham (OK) went to site with Nick Coombes (NC) (The Applicant's Onshore Consent managers) and met with Mr and Mrs Facer | 26/03/2024 | Site Meeting |
| RCC requests a detailed plan for Mr Facer's land but does not provide specifics. | 12/04/2024 | Email |
| LT offers meeting to discuss findings from the engineering visit: following conversation with OK and NC from RWE at Crateman's Farm. | 16/04/2024 | Email |
| Mr Facer responds confirming available dates for meeting | 16/04/2024 | Email |
| LT asks RCC for clarification on what specifically is required to go on Mr Facer's Plan attached to the key terms being the option and ownership details. | 25/04/2024 | Email |
| LT sends timing and itinerary for site visits: | 09/05/2024 | Email |
| OK emailed Mr Facer with route explanation | 16/05/2024 | Email |
| LT chased RCC regarding plans | 29/05/2024 | Email |
| RCC confirms clients intend to respond and requested plan | 29/05/2024 | Email |
| Email RCC attaching updated plan to accompany the Heads of Terms | 03/06/2024 | Email |
| Agent's Fees Clarification Letter Sent | 06/06/2024 | Letter |
| Revised Key Terms Letter Sent | 28/06/2024 | Letter |
| RCC sent draft response regarding Option and Easement documentation. No response received regarding the Heads of Terms. | 01/07/2024 | Email |
| LT issued revised HoT to RCC | 08/07/2024 | Email |
| RCC requested response to comments | 09/07/2024 | Email |
| The Applicant responded to the land interest's agent with a response on the Option and Easement documentation (to his email of 9 July 2024) | 30/07/2024 | Email |

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.

3 Royal Court
Kings Worthy
Winchester
SO23 7TW

Mr & Mrs Facer (care of Robert Crawford-Clarke)

[REDACTED]
[REDACTED]
[REDACTED]
RH13 8DX

Your ref:
Our ref: WSX277586 and
WSX277585

17 October 2023

Dear Mr & Mrs Facer,

CC: Robert Crawford-Clarke

RESPONSE TO QUERIES RAISED THROUGH AND POST CONSULTATION (15 NOVEMBER 2022 – 17 JULY 2023)

I am writing to set out a comprehensive response to all the queries raised in the following correspondence.

- Consultation response dated 15th November 2022 – Mr Facer
- Map given to James D'Alessandro at the Ashurst Consultation Drop In event on 11 November 2022
- 23 November 2022 – Email sent by Tim Facer
- 12 December 2022 – Email sent by Robert Crawford-Clarke
- 16 December 2022 – Email sent by Tim Facer
- 25 April 2023 – Email sent by Robert Crawford-Clarke
- 17 July 2023 – Email sent by Robert Crawford-Clarke

1 - Environmental Surveys

Extract from Consultation response dated 15 November 2022

1. On various occasions, both we and our client have been promised the results of the various environmental surveys your consultants have undertaken on his land, but to date these have not been received. We assume your current proposals on the cable route take into account these results, and wish to place on record that it is unreasonable to expect our client to engage in this consultation process without this information.

As you are aware the cable route is over 40km long and survey data is largely digitised for the whole stretch. The Preliminary Environmental Information Report (PEIR) and supplementary report set out information on surveys carried out and findings, for example, relating to habitats and protected species along the cable route. This information has now been taken from raw survey data, drawn together and analysed by our EIA consultants. and the most up to date results presented in the Environmental Statement (ES) in accordance with the relevant guidance and legislation from organisations such as

Natural England. This ES has been submitted with the DCO application material which is available to view at <https://www.gov.uk/government/organisations/planning-inspectorate>.

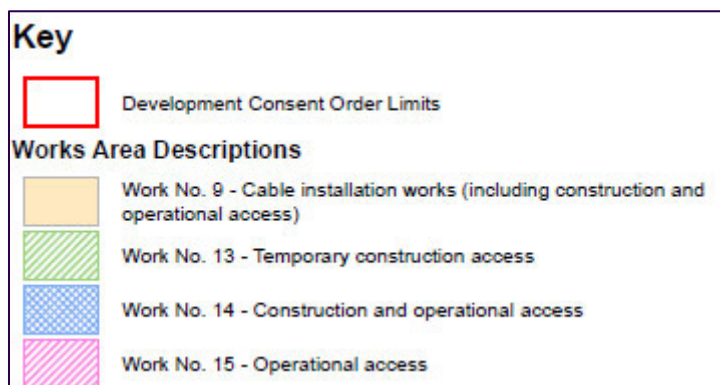
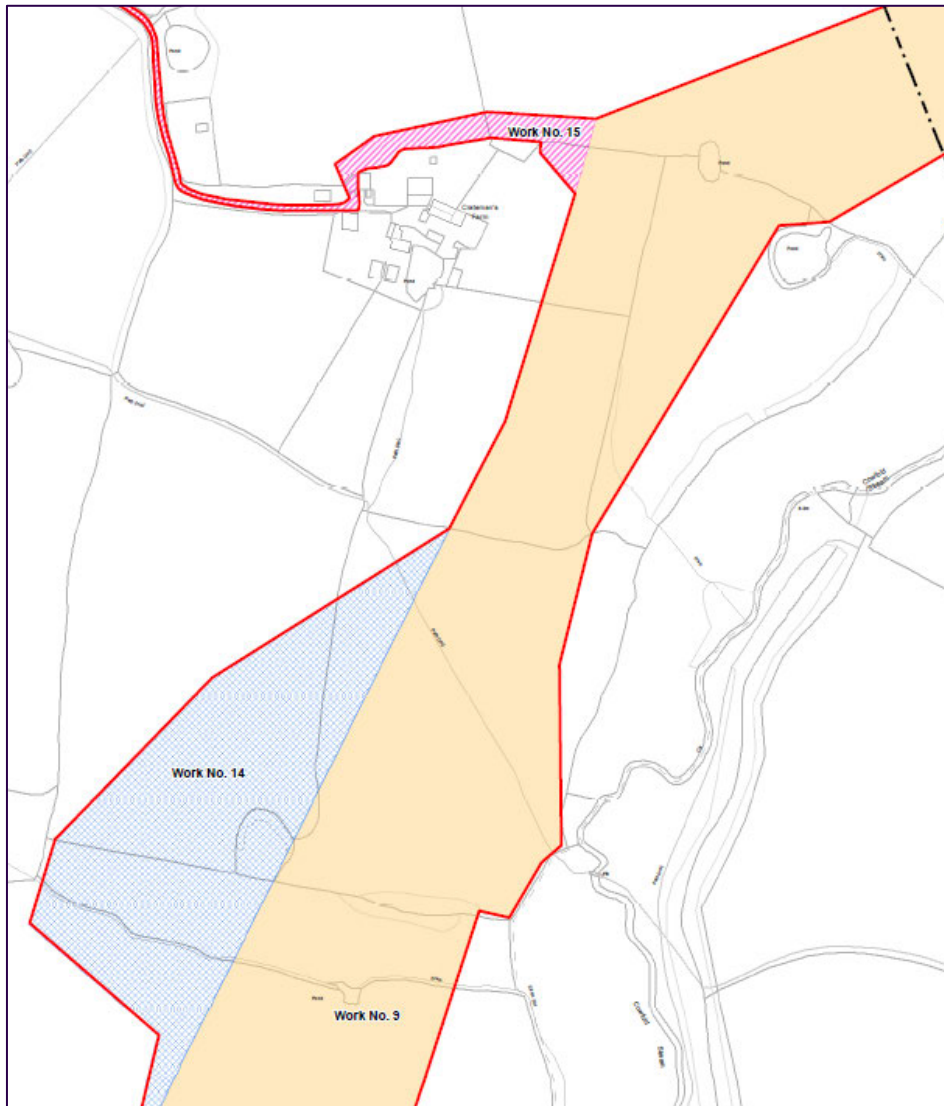
Rampion 2 has been advised by its environmental consultant that forwarding the raw data is unlikely to be informative, however, we would be happy to provide information from the ES relevant to specific survey areas of interest which you have.

2 - DCO Boundary

Extract from Consultation response dated 15 November 2022

2. It is very difficult to comment meaningfully on the latest proposals when the red line on the plan is drawn to cover such a wide area. This leaves the actual proposed cable route open to very broad interpretation. If all the data you have gathered to date has been properly analysed by you, then we see no reason why a more accurate indication of the proposed route options cannot be shown on the map. Again, it is unreasonable to expect our client to comment meaningfully on your latest proposals without this information.

Please see below plan of the proposed cable route area shown coloured brown and accesses coloured blue, included within the DCO boundary. The DCO boundary is wider than the construction corridor and permanent cable easement which are anticipated to be in the region of 40m wide and 20m wide respectively. However further surveys and ground investigations will be required prior to construction to determine the exact route to be taken within the corridor. Land use constraints can be factored into this detailed routeing, and we would welcome further discussion about this.



3 – Moving the Cable entry point further East

Extract from Consultation response dated 15 November 2022

It appears from the brown colouring on the plan that you are at least considering moving the entry point at the south end of the farm far further to the east than in your original consideration, despite you previously stating that this would not be possible. My client strongly supports this change and in making the entry point as far to the east as possible. This will enable the cable route to pass through the farm further to the east, and to keep it to his preferred route as shown by the black line in our letter of 25th January.

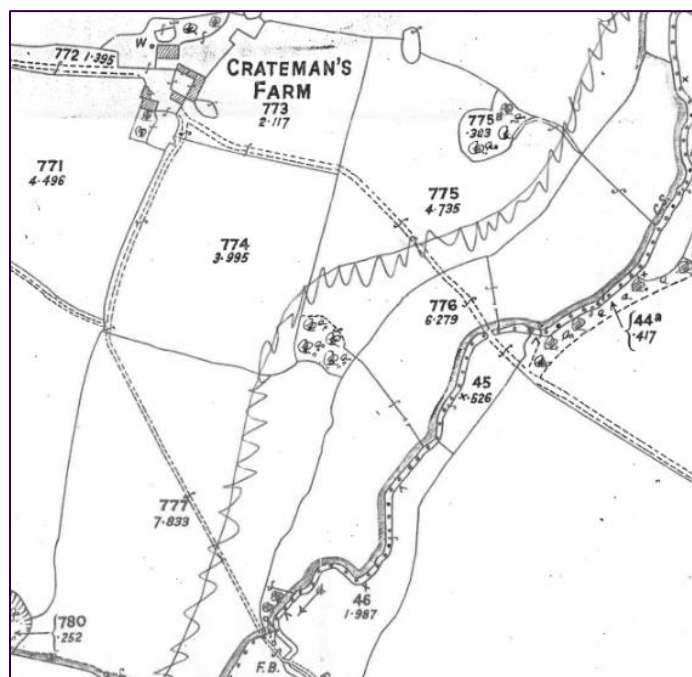
Upon review (detailed in previous email responses and further below), it was possible to move the cable route further to the east in this location, and this is what the DCO application now reflects.

4 – Preference for Specific Routing

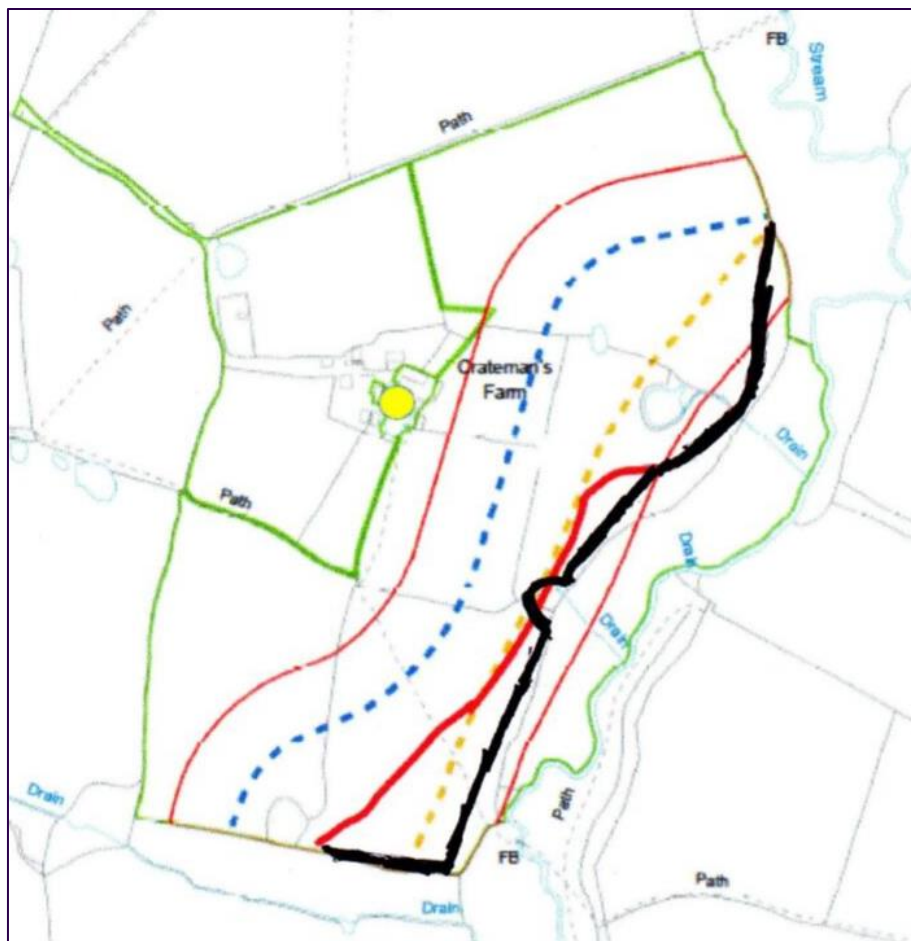
Extract from Consultation response dated 15 November 2022

However, your current plan suggests that the route may not follow my client's favoured one as it heads north through the farm, and will pass to the west side of the pond to the east of the farmhouse, rather than the east side of this pond as we discussed at length with you on site. The significance of this is that, if the route passes to the west of the pond, it will be considerably closer to, and far more visible from, the house and cause my client unnecessary disturbance throughout the years of construction. It will also cause disturbance and land loss in the more productive land on the farm.

For reference, your preferred route is detailed by the below map provided to James D'Alessandro at the Ashurst Consultation Drop In event on 11 November 2022.



As detailed in the engagement note dated 23.07.2021 and 11.08.2021, you put forward a red and a black route on the far eastern side of the Facer's title boundary. For ease, please see plan below detailing the map drawn by you and your agent.



We have noted your feedback and sought to take into account the views expressed by or on behalf of Mr Facer in his consultation responses and the points raised by him at the four site meetings on 22.07.2021, 11.08.2021, 21.01.2022 and 25.04.2022.

Subsequently, the project team reviewed the route, taking Mr Facer's concerns into account by amending the route. The new proposals (as detailed within the engagement note from site meetings on 21.1.22 and 25.4.22, provided on 14.11.22), have moved the route away from the farmhouse, further to the east, albeit on the western side of the pond mentioned above.

A route to the east of the pond (which we have labelled option B on the map below) is heavily constrained by the pond, the Cowfold Stream, the flood zone relating to these, and vegetation associated with them.

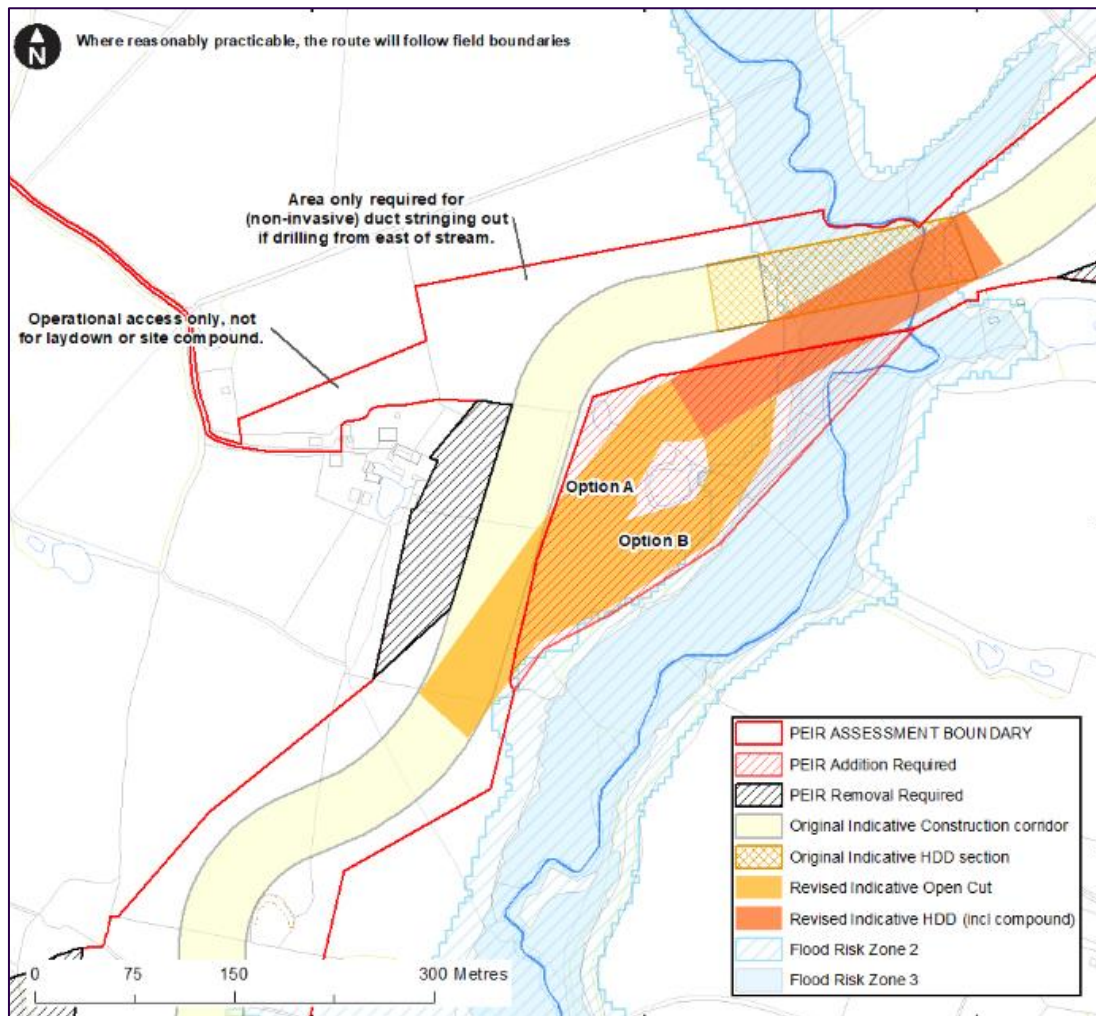
As described previously, we are seeking a construction corridor 40m wide; to the east of the pond some of this corridor would be within land identified by the Environment Agency as likely to flood. We are required by planning policy to locate works outside of the flood zone where possible, which is possible by routeing to the west of the pond.

A 40m corridor to the east of the pond would also likely result in the felling of trees, works within the root protection zones of others and associated habitat loss. While trees would be affected on either route, the greater damage would be caused by the eastern route, including the pinch point between the pond

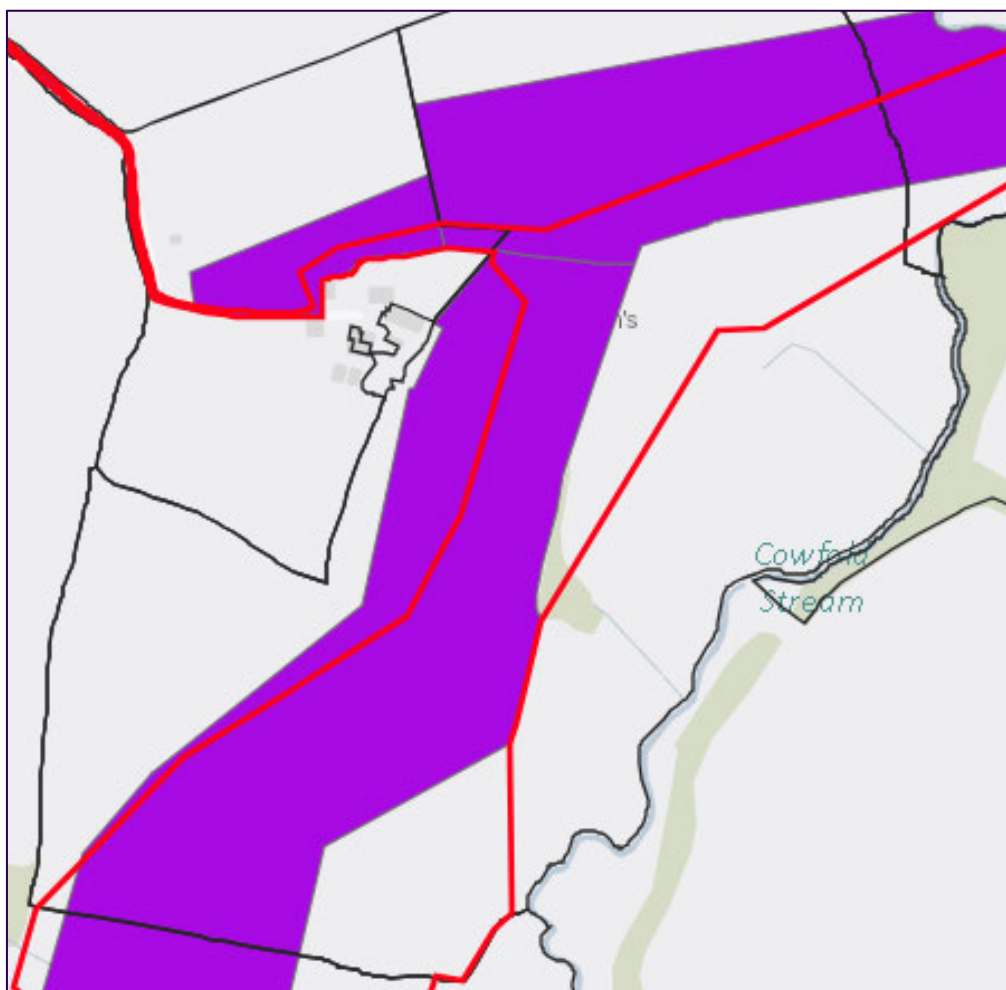
and the Cowfold Stream. Given their proximity to the Cowfold Stream and pond, there is also likely to be a greater risk of disturbance to fauna. The Cowfold Stream is known to support a range of species including otter and nightingale.

Records also show that the area to the east has been used historically for mining or quarrying, and further assessment would need to be done before risks to ground stability could be ruled out.

Therefore, the decision was taken to move forward with Option A.



Changes have been made to the cable routing where they can be justified on environmental and engineering grounds and these changes are now reflected within the final DCO boundary. As detailed within the map below, the purple demarcates the original route, and the area outlined in red details the amended current DCO boundary.



For further details on the impact on the farmhouse, please refer to Section 9 below.

5 – Area close to Cowfold Stream with Flood Zone

Extract from Consultation response dated 15 November 2022

There is no reason for the cable route to avoid the land further to the east of the farm. Whilst we accept that this land may appear on flood risk maps as being at risk from flooding, my client confirms that it has not flooded in his memory and he has been resident at the farm for over 60 years. This suggests that more detailed on site analysis is required by yourselves rather than relying on more broad spectrum mapping as justification for avoiding this area.

We have noted your feedback. As previously explained at the site meetings, and as recorded in the Engagement notes from 21.1.22 and 25.4.22 (provided on 07.09.22) and Engagement notes sent via email on 14.11.22, the area to the east of the farm is within an area identified by the Environment Agency as an area at risk of flooding.

The flood data referred to is based on the Environment Agency (EA) owned flood models, which the Environmental Assessment team and local authorities believe provide the best and most up to date

estimate of flood risk. In this region, the model outputs are from a modelling study undertaken for the EA, which considered fluvial and tidal sources of flood risk and allowances for climate change and sea level rise. Further to consultation with bodies such as the Environment Agency, Rampion 2 committed to avoiding areas at risk of flooding where possible.

Furthermore, there are additional environmental constraints which restrict the ability to route the cable further to the east, as explained in my email from 14.11.22. *'Please be advised that we cannot survey a route that our team of environmental consultants consider to be an unviable route. The additional area you have shaded in red is within the floodplain of Cowfold stream itself and interferes with the root protection zone of trees along Cowfold stream and the habitat of certain species. Our environmental teams have previously discounted Option B, and therefore moved forward with Option A within our red line boundary. This was communicated at the meetings in January and April 2022, as per the attached.*

As previously outlined, we have reflected your client's views in the DCO red line boundary and have such moved the cable route further towards Cowfold stream, and away from the property. This is also the case towards the south of their title.'

6 - Area outlined as Works No.15 (Operational Access) on the Works plans

Extract from Consultation response dated 15 November 2022

It was suggested on site by Carter Jonas that you would need to occupy the whole field adjoining the exit point at the north end of the farm, plus an area to the north of the farmhouse during construction, and possibly that some of these areas might be permanently affected. My client is extremely concerned about this. It is hard to comment given the absence of any clarity as to why these areas may be required, but the use of any land so close the house would be an unreasonable disturbance to my client.

As shown on the Plan in Section 2 of this letter (page 3), the area to the north of the farmhouse is required for Operational access only (Works No.15). Use of that land during construction is not required but Rampion 2 will need a right of access over it. It is anticipated that this access right will be used infrequently in the event that maintenance of the cable is required once construction of the scheme is finished and it is operational.

7 - Temporary Haul Road

Extract from Consultation response dated 15 November 2022

Mention has also been made on site of the need for temporary construction roads across my clients land to enable access by heavy machinery, specifically for HDD crossings. No detail has been provided of this but presumably selection of the final route will drive the requirement for such accesses. My client reserves the right to comment on any such accesses if they are proposed on his property.

The position with regards the haul road remains as previously outlined in the email sent to you on 22.08.2022, and re-sent on 07.09.2022 within the 'Site Meeting Notes from 21.1.22 and 25.4.22':

'Haul Road - In addition, when we were last on site at Crateman's Farm, we discussed the need for a haul road. This is because the revised route on your land has the potential for two trenchless crossings (one under Cowfold stream and one under the two hedgerows/ flood zone area to the south) which

leaves an area of land that will effectively be landlocked in the middle. A haul road is likely to be required to access this area. We are currently not in a position to say where this haul road will be located, but it will be within the 40m wide construction corridor for the cable. The engineers will likely seek the least vegetated area once detailed designs are drawn up subject to further ecological and ground investigation work. We also note your preference for not affecting the field to the west unnecessarily, although this decision may be determined by engineering/ environmental considerations.'

As the project progresses and the design is adjusted accordingly, we will liaise with you and your agent regarding the proposals.

8 - Potential Solar Farm Development

Extract from Consultation response dated 15 November 2022

My client has been approached by a solar developer. Subject to them being able to obtain the necessary grid connection, which is highly likely, they would wish to develop the majority of the farmland as a solar farm. This will not be possible if the cable is laid through the farm, and the amount of land so sterilized is likely to make a solar farm unviable on the rest of it. The financial consequences of this for my client will be enormous, given the local market for leasing land for solar farms suggests rental values of £1,100 per acre per annum or more for a 40 year term.

We cannot comment on speculative proposals therefore please provide details of the proposals put forward by the solar developer such as draft layouts, the expected timing of grid connection and planning applications, offers made, and the basis of any land or contractual agreements with them. Currently there are no planning applications or consents for solar development on the Horsham District Council planning website in this location.

9 - Concerns about Grade II Listed farmhouse

Extract from Consultation response dated 15 November 2022

Cratemans Farmhouse is Listed Grade 2. We are aware from local experience of large scale projects such as this that Heritage Authorities view anything which may affect their setting with extreme concern. Such concerns could be overcome if your route sticks to that preferred by my client as referred to above.

The project team is aware that the farmhouse is Grade II Listed and this has been assessed in the Environmental Assessment submitted with the DCO, which acknowledges that Crateman's Farmhouse has high heritage significance deriving from historic and architectural interest.

Construction activities associated with the onshore cable corridor and HDD compounds will be visible to the east, southeast and south of the asset with a partial screening effect and visual separation provided by intervening fields and boundary planting. While the compounds and cable-associated works would introduce construction activities and result in some disturbance to the broader farmland surroundings of the asset, the farmhouse's principal setting relationship to the associated historic farmstead buildings would remain undisturbed. The Environmental Statement notes that there would be

a low magnitude of change to an asset of high heritage significance (sensitivity), producing a moderate adverse residual effect which, due to the temporary nature, would be 'not significant'.

10 - Concerns about water heating/ Risk of Legionella

Extract from Consultation response dated 15 November 2022

We reiterate my client's concerns about the impact of the scheme on their water main and draw your attention to the points stated in our letter of 25th January. We understand that you confirmed, when you met my client on 11th November, that the cables will generate heating in the water main if they cross it, thereby acknowledging the potential health hazards highlighted by Southern Water.

In addition, the engineering team have commented as follows:

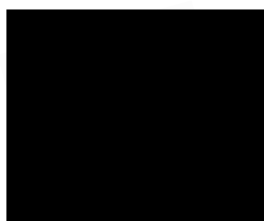
- The cables are proposed to be buried at least 1.2m below ground level.
- A vertical separation between the cables and the water supply will be applied to ensure the water supply is not subject to a material rise in temperature when compared with natural rises and drops in ground temperatures. An increased risk of legionella caused by the cable installation is therefore not expected.

We would be grateful to receive a written summary of Southern Water's concerns, so we may review and comment as required.

Should you have any queries or wish to discuss this further please do not hesitate to contact me.

We have sent you key terms for your review and would be happy to discuss mitigation measures which could be captured in detail in a voluntary agreement in order to give you some certainty at an earlier stage of the DCO process.

Yours sincerely



Lucy Tebbutt MRICS
Associate

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