



**Rampion 2 Offshore Wind Farm – EN010117**

**Section 51 advice regarding draft application documents submitted by Rampion Extension Development Limited**

On 5 June 2023 Rampion Extension Development Limited submitted the following draft documents for review by the Planning Inspectorate as part of its Pre-application Service<sup>1</sup>:

1. Draft Consultation Report (CR)

The advice recorded in the table below relates solely to matters raised upon the Planning Inspectorate's review of the draft application documents listed above. The advice is limited by the maturity of the documentation provided by the Applicant and the time available for consideration and is raised without prejudice to the acceptance decision or the final decision about whether development consent should be granted.

**NB:** The draft Consultation Report was sent to the Planning Inspectorate for a review on 5 June 2023 after the set of previous draft documents. The Inspectorate's comments on other documents can be found in a separate advice table dated 16 June 2023.

---

<sup>1</sup> See <https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/>



1. Consultation Report (CR)		
Ref No.	Paragraph/ Section	Comment/Question
	<b>Environmental Impact Assessment (EIA) Regulations</b>	<p>No reference has been made in relation to the EIA Regulations - either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement.</p> <p>S48 notices, s42 consultation letter and evidence of which parties this was sent to has not been provided, therefore we are unable to determine whether Applicant sent the S48 notice to EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations.</p>
	<b>Adequacy of Consultation Responses (AoCR)</b>	<p>As the Applicant is aware, concerns have been raised about the adequacy of the pre-application consultation that been undertaken.</p> <p>The Inspectorate has provided advice on this matter, which has been published as s51 advice on the Rampion2 project page of the Inspectorate website. The draft CR does not specify how the Applicant has had regard to concerns raised about the consultation. It is important that the Applicant does so in the final version of the CR</p>
	<b>S42 – Duty to Consult</b>	<p>The Applicant refers to the provision of a summary of the S42 letter process, information, and section 42 consultees in section 6.3, 8.3, 10.3, 12.3, 14.3 and Appendix 4.2, 5.1, 6.2, 7.2, 8.2, 9.2. However, these sections/appendices have not been provided, so the Inspectorate is unable to verify their accuracy.</p> <p>There are statements that refer to the consultation being carried out pursuant to Section 42 of the Planning Act 2008 in various sections of the draft report (examples are paragraph 1.10.1, paragraph 1.13.1, paragraph 1.15.1, paragraph 1.17.1) however, in the absence of supporting information in the CR, the Inspectorate to verify these statements.</p> <p>The index/summary also appears to have separated out multiple instances of consultation, so it is unclear exactly how many rounds of consultation have been carried out and whether all stages have complied with S42.</p>



1. Consultation Report (CR)		
Ref No.	Paragraph/ Section	Comment/Question
	<b>S46 – Duty to Notify Secretary of State</b>	Reference can be seen in section 6.4. However, documents have not been supplied and therefore comments are unable to be provided. No date has been included for the s46 notification.
	<b>S47 – Duty to Consult Local Community / SoCC (Statement of Community Consultation)</b>	The CR refers to a Statement of Community Consultation yet does not provide a copy or any extracts from it. No dates or examples have been supplied for the s47. Reference is given to ‘B’ and ‘C’ authorities being consulted but no evidence has been supplied or who these authorities are. The Applicant states that it has had regard to responses received (Section 1.7.2) but no examples are included and therefore the Inspectorate cannot comment on the adequacy of regard given. No examples of notices as to where the SoCC could be inspected have been included.
	<b>S48 – Duty to Publicise the Proposed Application</b>	S48 notice and evidence of publication has not been included, therefore the Inspectorate is unable to determine whether Applicant publicised the proposed application in the prescribed manner set out in Regulation 4(2) of the Applications: Prescribed Forms and Procedure Regulations. It is also unclear from the section “Consultation Report Structure” how many rounds of consultation there has been and whether multiple S48 notices were publicised. There are references in the Consultation Report Structure to a Section 48 notice in sections 6 (Project wide statutory consultation), section 8 (onshore statutory consultation – not clear if this is repetition of section 6). There are no references to S48 notices in the structure overview for Section 10 (Targeted route consultation) S48 notices and evidence of publications not included, therefore unable to determine whether Applicant publicised the proposed application in the prescribed manner set out in Regulation 4(2) of the Applications: Prescribed Forms and Procedure Regulations.



1. Consultation Report (CR)		
Ref No.	Paragraph/Section	Comment/Question
	<b>S49 – Duty to Take Account of Responses to Consultation</b>	Brief references to consultation responses and the regard given are made in the Executive Summary, Consultation Report Structure Overview, Introduction and Overview of the Consultation Process. However, the Inspectorate is unable to verify compliance due to the lack of completeness of report (no relevant appendices or detailed evidence has been provided to support these statements).
	<b>Pre-Application Procedure</b>	Paragraph 2.4.2 of the CR states that the Applicant has taken into consideration all relevant statutory and other guidance. Paragraph 2.4.3 states a compliance checklist is included at Appendix 1 which demonstrates that the consultation process had regard to statutory guidance. However, Appendix 1 and further evidence to support Paragraph 2.4.2 have not been provided, so the Inspectorate is unable to verify.
	<b>General</b>	Contents page links are broken.
	<b>General</b>	Referencing should be consistent (example reference to Section 4.8 notice as section 6.6 in contents page, and 6.7 and 6.8 in consultation report structure overview).
	<b>General</b>	Where the Applicant has chosen to undertake targeted consultation, as opposed to a full round of consultation, the final CR should ensure that justification for this decision is provided