



Rampion 2 Offshore Wind Farm – EN010117

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

On 21 April 2023 Rampion Extension Development Limited submitted the following draft documents for review by the Planning Inspectorate as part of its Pre-application Service¹:

1. Book of Reference Selection
2. Consultation Report Structure
3. Crown Land Plan Sheet 2
4. DCO Draft
5. Explanatory Memorandum
6. Land Plan Sheet 1
7. Land Plan Sheet 2
8. Land Plan Sheet 25
9. Land Plan Sheet 32
10. Special Category Land Plan
11. Work Plan Sample
12. Application Document Register – received 30th May

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: a draft Consultation Report was sent to the Planning Inspectorate for a review on 5 June 2023. The Inspectorate's comments on that document are not included in this review and will follow separately in due course

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



1. Book of Reference Selection		
Ref No.	Paragraph/Section	Comment/Question
	General	Only the “Blue” sections have been shared. Therefore, we have not been able to check “Pink” or “Green” sections.
	Parts 2,3,4,5	These have not been included in the draft documents submission and therefore the Inspectorate is unable to provide comments.

2. Consultation Report Structure		
Ref No.	Paragraph/Section	Comment/Question
	General	The document is lacking any content and as such the Inspectorate is unable to comment, given the lack of information. The Planning Inspectorate has previously issued s51 advice to the application in relation to consultation matters.

3. Crown Land Plan Sheet 2		
Ref No.	Plan ref	Comment/Question
	Crown Land Plan and Special Category Land Plan	<p>Both plans are currently using a similar colour and hatching pattern (blue with horizontal lines). This could be an issue if these plans are put into 1 document together as it will be difficult to distinguish between them.</p> <p>Please note only 1 Crown Land Plan has been shared but information for 2 Plan sheets have been given in the BoR, therefore only 1 sheet has been checked.</p>



4. Draft DCO		
Ref No.	Paragraph/Section	Comment/Question
	General	The Inspectorate is unable to find any “Works” which are shown in the Work Plans shared, therefore we have not been able to check. Is this in DCO Schedule 1 Part 1?
	Article 2 – Interpretation	Should archaeological investigations be included under “commence” (b)?
	Article 7 – Interaction with Rampion DCO 2014	This is a vitally important matter which must be added before the application is submitted.
	Article 19 – Removal of human remains	Should reference be made to the possible archaeological significance of human remains?
	Page 28	There is displaced text at top of page.
	Req 8/9(1)(a)	Would this be better as ‘siting and layout’?
	Req 8/9(1)(e)	Additional information and explanation is required when referring to ‘external appearance, form, and materials...’?



4. Draft DCO		
Ref No.	Paragraph/Section	Comment/Question
	Req 8/9(2)	Should reference to the DAS also include reference to any design approach document? (See North Killingholme Power Project (EN010038), Hinkley Point CConnection (EN020001), and A303 Amesbury to Berwick Down (Stonehenge Tunnel - TR010025) for examples).
	Req 20	Archaeology – should there also be reference to marine archaeology, or is it sufficient to leave this to the DMLs? In 20(2), typo, last line, should this be ‘where’ rather than ‘were’?
	Req 26(2)(a)	Typo, ‘risk’ rather than ‘rick’?
	Req (30)(3)	Second line, is requirement number correct? Also, does the approval period of 28 days conflict with the provisions of Schedule 14?
	DML Sched 11(4)	Control over the possible hazardous or harmful nature of the deposited materials?
	Condition 11(2) and (3)	Are there powers to temporarily halt works should unexpected finds be discovered?
	DMLs generally	Is modelling required in relation to the effects on waves and currents of deposited material and other engineering works? Also, is modelling required in relation to the effects on existing anticipated vessel movements of construction and maintenance vessels?



5. Explanatory Memorandum		
Ref No.	Paragraph/Section	Comment/Question
	Para 3.1.1	Description of Proposed Development repeats para 1.2 - are both necessary?
	Para 3.1.2.3	Unclear, second 'connection' appears to be unnecessary - last phrase is perhaps better as '...at Bolney, and an extension to the Bolney building.'
	Para 4.7	Perhaps this could be better phrased as, 'The areas of land to be used temporarily requiring restoration comprise...'
	Para 5.4.1 - Flexibility	The Design Approach and Design Principles should be fully documented and secured within the DCO, going beyond the normal content of a DAS. Establishing design themes and contextual sources should not constrain flexibility but would allow it to be articulated successfully.
	Para 7.2.10	The Design Approach and Design Principles should be fully documented and secured within the DCO, going beyond the normal content of a DAS. Establishing design themes and contextual sources should not constrain flexibility but would allow it to be articulated successfully.
	Paras 9.3 to 9.5	These paragraphs are not very clear – in 9.3 Article 42 referenced in error, this should be Article 44. The penultimate sentence would perhaps read better as, 'The Article is consistent with the model provision, except the Undertaker has further limited the power so that it does not apply to trees subject to a tree preservation order which are instead subject to article 44 (Trees subject to tree preservation orders).'
	Para 9.11	This should reference 'His' Majesty as opposed to 'Her' majesty currently noted.
	Para 10.1.3	This needs a requirement number adding.



5. Explanatory Memorandum		
Ref No.	Paragraph/Section	Comment/Question
	General	Is the Explanatory Memorandum to include Schedules 13 to 16?

6. Land Plan 1		
Ref No.	Plan ref	Comment/Question
	General	The dDCO and the key/plan have not used similar wording, making it difficult to follow.

7. Land Plan 2		
Ref No.	Plan ref	Comment/Question
	2/110	Very small on plan, may need magnifying similar to 2/100.
	2/120	Very small on plan, may need magnifying similar to 2/100.
	2/165 & 2/170	Land Used Temporarily is not within the BoR.
	General	The dDCO and the key/plan have not used similar wording, making it difficult to follow.



8. Land Plan 25		
Ref No.	Plan ref	Comment/Question
	25/010	Not clear which part this relates to on the plan - cannot tell if this is supposed to be part of INSET 25/E.
	Key	The plan references a Parish Boundary, which was not mentioned in the dDCO (all plans).

9. Land Plan 32		
Ref No.	Plan ref	Comment/Question
	32/005	Described as “south of Lower Barn Farm”, however, appears to be more Southeast.
	32/010	Described as “south of Lower Barn Farm”, however, appears to be more Southeast.

10. Special Category Land Plan		
Ref No.	Plan ref	Comment/Question
	General	Both plans are currently using a similar colour and hatching pattern (blue with horizontal lines). Could be an issue if these plans are put into 1 document together as it will be difficult to distinguish between them. (Also mentioned in Crown Land Plans). Appears to be missing locations.
	1/015	Appears to be missing locations.



10. Special Category Land Plan		
Ref No.	Plan ref	Comment/Question
	1/020	Please note only 1 Special Category Land Plan shared but information for 2 Plan sheets have been given in the BoR, therefore only 1 sheet has been checked.

11. Work Plan Sample		
Ref No.	Plan ref	Comment/Question
	General	Unable to find any “Works” which are shown in the Work Plans shared within the dDCO, therefore not able to check. Please state whether this is in DCO Schedule 1 Part 1?

12. Application Document Register (received 30 May 2023)		
Ref No.	Plan ref	Comment/Question
	General	Site Characterisation Reports are indicated for the Windfarm Site and the Offshore Cable Corridor. Should there also be reports for the onshore substations and connector routes? We note the ES Volume 2 Chapter 15: Seascape, Landscape and visual, and ES Chapter 18: Landscape and visual impact. Why the separation? And should Chapter 18 be, Seascape, Landscape and Visual Impact Assessment?



12. Application Document Register (received 30 May 2023)

Ref No.	Plan ref	Comment/Question
		<p>ES Volume 3: Figures, and Volume 4: Technical Appendices are noted as ‘TBC and detailed’. This leaves a vast amount of material undefined, including photomontages.</p> <p>No indication of a design approach document.</p>

General Observations

Where references are provided to other draft application documents it would be beneficial to provide the full title thereof inclusive of document reference number. Should further draft documents be provided for review, the Applicant may wish to consider providing a full list of known application documents (for purpose of signposting) as well as their respective reference number.

[\[MHCLG\] Application form guidance](#), paragraph 3, states: “The application must be of a standard which the Secretary of State considers satisfactory: Section 37(3) of the Planning Act requires the application to specify the development to which it relates, be made in the prescribed form, be accompanied by the consultation report, and be accompanied by documents and information of a prescribed description. The Applications Regulations set out the prescribed form at Schedule 2, and prescribed documents and information at regulations 5 and 6.”

A provisional list of the Application Documents intended for submission would help us to gauge potential omission of important material.

The provisional contents page of the ES would likewise help us to spot potential gaps.

For instance, there's no indication that an adequate S/LVIA has been prepared, including photomontages.

Generally, insufficient information has been provided to be able to form an impression of potential gaps or inconsistencies in a forthcoming application. Instead, the material seems to invite inappropriate premature Examination or just simple proof reading. It doesn't serve as a method of recapitulation prior to submission. To be useful, it probably needs to be a much more continuous and comprehensive staged process.