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Ms. Patricia Charman  
By email

Your Ref:

Our Ref: EN010024

Date: 5 November 2013

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Dear Ms. Charman,

## **Planning Act 2008 (as amended)**

### **Emerging application by Navitus Bay Development Ltd for an Order Granting Development Consent for the proposed Navitus Bay Wind Park**

Thank you for your email dated 11 October 2013 addressed to the Rt. Hon. Eric Pickles MP, Secretary of State for Communities and Local Government. As your email relates to a proposed nationally significant infrastructure project (NSIP) I have been asked to reply as under the Planning Act 2008 (the PA2008) the Planning Inspectorate (an agency of the Department for Communities and Local Government) is responsible for examining applications for development consent for NSIPs.

As a development application may be submitted for determination to the Planning Inspectorate in the future it is not appropriate for me to comment on the merits of the development as this might prejudice the impartial determination of the application. However, it may be helpful if I briefly explain some elements of the process and your opportunities to become involved.

The PA2008 regime for making decisions on NSIPs includes significant consultation before an application is submitted. As you may be aware, the Navitus Bay Wind Park application is yet to be formally submitted to the Inspectorate and it is in this 'pre-application' stage at present. At this stage, you should send any comments that you may have on the merits of the scheme directly to the developer, Navitus Bay Development Ltd. The developer currently anticipates that the application will be submitted in Quarter 1 of 2014.

The NSIP regime is based on the principles of fairness, openness and impartiality. On submission of an application for development consent, the Inspectorate has 28 days within which to decide whether or not an application meets the standards required to be formally accepted for Examination. If the application is accepted for Examination, the PA2008 provides an opportunity for individuals, organisations and groups to register as 'interested parties' and to submit a 'Relevant Representation'. Developers are required to advertise the acceptance of an application and the period within which

a Relevant Representation must be made. This period must be at least 28 days. Relevant Representation forms must be completed online and at the relevant time the forms will be available on the Planning Portal's Navitus Bay Wind Park project webpage: <http://infrastructure.planningportal.gov.uk/projects/south-east/navitus-bay-wind-park-formerly-isle-of-wight/>

Relevant Representations should indicate whether an individual, organisation or group supports or opposes a scheme and highlight any issues that they may wish to make further detailed representations on later in the Examination process. All Relevant Representations will be read by the appointed Examining Authority in conjunction with the application documents. You can include your concerns on visual impact, tourism and the natural environment in a Relevant Representation. By registering as an interested party you will be kept informed of the Examination and be invited to engage in the process further by making detailed written representations (and oral representations at any hearings) over the course of the Examination. The Inspectorate has produced advice notes that provide an overview of the PA2008 process and explain how to get involved: <http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

After the statutory 6 month examination period, the Examining Authority will report on the application and their findings to the relevant Secretary of State. In the case of Navitus Bay Wind Park, the relevant Secretary of State is the Secretary of State for Energy and Climate Change.

I hope that you find this information of assistance. If you have any further queries about the NSIP process and procedure please send them to the Major Applications and Plans Directorate at the Planning Inspectorate, for the attention of the Navitus Wind Park case team.

Yours sincerely,

*Mark Southgate*

**Mark Southgate**  
**Director of Major Applications and Plans**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.