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David Barnes  
Strategic Director  
Christchurch and East Dorset Councils  
Civic Offices  
Bridge Street  
Christchurch  
Dorset  
BH23 1A2

Your Ref:

Our Ref: EN010024

Date: 18 December 2014

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Dear Mr Barnes,

**Planning Act 2008 (as amended) and the Infrastructure Planning  
(Examination Procedure) Rules 2010 (as amended)**

**Application by Navitus Bay Development Limited for an Order Granting  
Development Consent for the Navitus Bay Wind Park**

Thank you for your letter dated the 5 December, which was not directly addressed to the Navitus Bay Team and subsequently has just reached me for reply.

I note the contents of your letter and am writing to clarify the points made.

Your council did write to the Inspectorate on 17 October 2014, following the Rule 8 letter, to say that it would attend the DCO hearing on 21 January 2015. Your council also wrote to the Inspectorate on the 20 October 2014 to say that it would attend the hearings in relation to Biodiversity, Biological Environment and Ecology and Landscape, Seascape and Visual Impacts and Design - the subjects indicated in the Rule 8 letter for the hearings scheduled to commence on Tuesday 18 November and Tuesday 25 November 2014. Following issue of the agendas your council then wrote to the Inspectorate on 11 November, indicating its intention not to attend. At this point the Examining Authority was made aware of the council's intention not to attend and the reasoning behind that decision.

The case team approached your council following notification they would not be attending to strongly urge that the council attend or send a representative to note any questions addressed to your council. This was because the Examining Authority had questions that it felt should be best addressed orally at a hearing. The council were informed that the questions would still be addressed to them at the hearings irrespective of attendance and that they may wish to listen to the audio of the

hearings and note the action points issued after the hearings.

You are correct that the process is primarily a written process and due weight is given to written representations, Local Impact Reports and statements of common ground; however the purpose of issue specific hearing is for the Examining Authority, if it feels it necessary, to probe and test written evidence already submitted.

I can assure you that the Examining Authority was aware of the reasons behind your council's non-attendance. Any comments made by the Examining Authority were only in relation to questions that it would have addressed to your council had it been in attendance and were not meant to be unfavourable. Your council's non-appearance does not prejudice your position in the determination of the application.

Yours sincerely

Jackie Anderson  
Case Manager  
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.