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Mr. Bill Hoodless  
By email

Your Ref:

Our Ref: EN010024

Date: 25 October 2013

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Dear Mr. Hoodless,

## **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**

#### **The decision-making process and getting involved**

Thank you for your email dated 5 October 2013 which was addressed to the Department for Communities and Local Government (DCLG). As the content of your email relates to a proposed nationally significant infrastructure project (NSIP), your correspondence has been forwarded to the Major Applications and Plans Directorate within the Planning Inspectorate.

As you may already be aware, under the Planning Act 2008 (the PA2008) regime the Planning Inspectorate, an agency of DCLG, is responsible for examining applications for development consent for NSIPs. After a statutory 6 month examination period, the Inspectorate will report upon an application and its findings to the relevant Secretary of State; who is the competent authority and ultimate decision-maker. The relevant Secretary of State for applications for electricity generating stations under section 15 of the PA2008, an example of which is the proposed Navitus Bay Wind Park, is the Secretary of State for Energy and Climate Change.

You are likely also to be aware that the Navitus Bay Wind Park application is yet to be formally submitted to the Inspectorate and is currently at the 'pre-application' stage of the process for making decisions on NSIPs. The developer currently anticipates that the application will be submitted in Quarter 1 2014.

The PA2008 regime is grounded in the principles of fairness, openness and impartiality. On submission of an application for development consent, the Inspectorate has a 28 day period 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 establishes the opportunity for individuals, organisations and other groups to register as 'interested parties' by

completing a registration form and submitting 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 can be completed online, and at the appropriate time will become available on the Planning Portal's Navitus Bay Wind Park project webpage; here: <http://infrastructure.planningportal.gov.uk/projects/south-east/navitus-bay-wind-park-formerly-isle-of-wight/>

Relevant Representations should include whether an individual, organisation or other 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, and in conjunction with its reading of the application documents will help to inform its 'Initial Assessment of Principal Issues'. These 'principal issues' initially focus the examination of an application, but do not constitute an exhaustive list of what may or will be examined. If the Poole and Christchurch Bays' Association (PCBA) choose to register to become an interested party it can include its concerns on the industrialisation of the seascape in its Relevant Representation. By registering as an interested party with the Inspectorate, PCBA will be kept informed of the Examination by either email or post and be invited to engage in the process further by making detailed written representations (and oral representations at any hearings) over the course of a statutory 6 month Examination period.

The Inspectorate has produced a suite of advice notes to help provide an overview of the PA2008 process and explain how to get involved in the process; available here: <http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

I hope that you are encouraged by this information, which sets out in brief how you can become fully engaged with the examination process, if the application is accepted to be examined by the Inspectorate. If you have any further queries of a procedural nature, please send them to the Major Applications and Plans Directorate at the Planning Inspectorate for the attention of the Navitus Bay Wind Park case team. Otherwise, at this stage you should continue to send any comments on the merits of the scheme directly to the developer, Navitus Bay Development Ltd.

Yours sincerely,

*Simone Wilding*

**Head of Case Management  
National Infrastructure  
Major Applications and Plans Directorate**

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.