



## Meeting Note

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| <b>File reference</b> | EN010033    |
| <b>Status</b>         | Final       |
| <b>Author</b>         | Mike Harris |

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| <b>Meeting with</b>                          | SMart Wind   |
| <b>Meeting date</b>                          | 19 June 2012   |
| <b>Attendees (Planning Inspectorate)</b>     | Mike Harris (Case Manager)<br>David Price (EIA Manager)<br>Robert Hanson (Lawyer)<br>Ewa Sherman (Case Officer)<br>Jan Bessell (Pre-application Examining Inspector) |
| <b>Attendees (non Planning Inspectorate)</b> | Chris Jenner (SMart Wind)<br>Paul Irving (Winckworth Sherwood)<br>Pat Hawthorn (Shepherd & Wedderburn)   |
| <b>Location</b>                              | The Planning Inspectorate Offices, Bristol   |

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| <b>Meeting purpose</b> | Project Update and Draft Development Consent Order Review |
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| <b>Summary of key points discussed and advice given</b> | <p>The Planning Inspectorate advised on its openness policy and confirmed that any advice given would be published and does not constitute legal advice upon which applicants (or others) can rely; applicants must rely on their own legal advice. It was confirmed that Jan Bessell would not be appointed to an examination of this project having been involved in providing project specific advice.</p> <p><b>Project Update</b><br/>SMart Wind provided an overview of work undertaken since the last meeting, including:</p> <ul style="list-style-type: none"><li>• Consultation work continues and addresses options around HVAC/DC transmission options;</li><li>• Survey work continues both on and offshore;</li><li>• Agreements reached with landowners for substation location (this includes capacity for future projects);</li><li>• Transboundary consultation meetings.</li></ul> <p>SMart Wind confirmed that Phase 3 consultation is scheduled for summer 2012 and Phase 4 later in the year.</p> <p><b>Draft Development Consent Order (DCO)</b><br/>SMart Wind's legal advisors explained the rationale behind the draft DCO as currently drafted. It was indicated that a relatively novel approach is being taken to consent for works</p> |
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within the project. This will involve overlapping limits of deviation and a range of permitted turbines within each work.

The Planning Inspectorate confirmed that it would be important to explain this clearly within the Explanatory Memorandum accompanying the DCO, specifically how mechanisms for determining the number of turbines to be developed and designation of works to particular undertakers. In addition it was highlighted that it is important to ensure that there is clarity with regard to which undertakers will discharge particular requirements.

The Planning Inspectorate advised that it would assist both the applicant, statutory agencies and any future Examining Authority if any mitigation/compensation identified as being required in the Environmental Statement and to be delivered by requirements within the DCO is clearly laid out in tabular form.

SMart Wind identified that the onshore cable route allows for a relatively wide corridor but with a fixed route width within this area. The Planning Inspectorate advised that careful consideration should be given to this in the context of demonstrating need and association with the project applied for and in the context of compulsory acquisition if required.

#### **Appropriate Assessment**

The Planning Inspectorate confirmed that it is happy to look at draft HRA reports subject to resources. It was also confirmed that a review of Advice Note 10 is underway in order to reflect lessons learned from the examination process.

#### **Project Two**

SMart Wind confirmed that they have commenced work on the second project in the zone and that a Scoping Report will be submitted to The Planning Inspectorate in Summer 2012 in advance of an application for development consent in Summer 2013.

The Planning Inspectorate reiterated general advice that SMart Wind should provide a shapefile at least two weeks in advance of the proposed submission of the Scoping Report itself.

#### **Any Other Business**

The Planning Inspectorate provided an update to SMart Wind on the experiences to date seen in examinations in general and more specifically for offshore wind farm applications. It was identified that experience shows the importance for applicants to consider resources and project planning for the examination phase in order to ensure that deadlines, often very time limited, can be met. In particular it was suggested

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|  | that early thought is given to those parties who might sign up to Statements of Common Ground. The Planning Inspectorate pointed out the importance of Advice Note 11 which sets out the key principles the Planning Inspectorate hopes will underpin working arrangements. |
| <b>Specific decisions/<br/>follow up<br/>required?</b> | SMart Wind to provide a GIS shapefile in advance of submitting a Scoping Report – completed post meeting  |
| <b>Circulation<br/>List</b>                            | Attendees   |