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Chris Jenner
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Your Ref:

Our Ref: EN010053

Date: 19 February 2015

Dear Mr Jenner

Planning Act 2008 (as amended) - Section 51

Application by SMart Wind Limited for an Order Granting Development Consent for the Hornsea Offshore Wind Farm (Zone 4) - Project Two

Advice following issue of acceptance decision

On 19 February 2015 the Secretary of State decided to accept the above application for examination.

The 's55 acceptance checklist', published on our website, sets out the Inspectorate's comments in respect of the tests that must be met under s55 of the Planning Act 2008 (as amended) (PA2008). The purpose of this letter is to provide advice under s51 of PA2008, where the acceptance inspector has indicated on the checklist that it should be issued to the applicant.

SMart Wind is strongly advised to review the checklist and to read it in conjunction with the following advice.

Consultation with persons prescribed

The Inspectorate has identified some omissions and departures from best practice, listed in the box 2.3 of the s55 checklist. Consultees omitted at the statutory consultation stage should be notified of the acceptance of the application so that they are able to participate in the forthcoming examination. Every affected person must, of course, be notified of acceptance.

Development Consent Order (DCO)

The draft Development Consent Order (Doc 3.1) should be set out using the Statutory Instrument template, which it does not appear to use currently. This will need to be provided and validated for the commencement of the examination; this will enable

changes to be tracked through the examination.

Book of Reference

The Inspectorate has identified in the s55 checklist that a number of plots have been misidentified in the Book of Reference (Doc 6.3). The appendix to this letter contains a schedule of those observed, though this does not lift the applicant's duty to ensure that every plot is properly recorded. These should be rectified as the applicant continues their due diligence prior to notification.

We also suggest that the schedule of statutory undertakers should be removed, to bring the Book of Reference into conformity with Annex D of DCLG guidance for compulsory acquisition. Interests of relevant statutory undertakers will have been identified in other parts of the Book of Reference. The revised book, comprising the full list of those notified under s56 should be resubmitted to the Planning Inspectorate at the close of the relevant representations period.

Scheme Drawings

The Offshore Works Plans (Doc 5.1) are shown at a variety of scales to describe the scheme. Unfortunately sheet 4, the inset sheet for the cable route, does not meet sheet 3, the windfarm inset, and so does not show the full route of the offshore cable. Further, the Inspectorate has noticed that the inset sheets do not align with their extent as marked on the index sheets. It is likely that the Examining Authority will require corrected versions for the examination.

The DCO DML [Deemed Marine Licence] Coordinates Plan (Doc 12.11) helpfully locates the DCO coordinates on a works plan. However, this document does not itself include lines of longitude or latitude allowing the coordinates to be read independently. It would assist the Inspectorate if these were displayed on future versions for legibility.

The Land Plans (Doc 4.1) require further inset drawings to show the detail of certain small plots subject to the application for compulsory acquisition. It should be possible for affected parties to clearly identify the land in question, in accordance with Annex C of DCLG guidance Planning Act 2008: Guidance related to procedures for compulsory acquisition of land. The appendix to this letter contains a schedule of plots which could benefit from an inset plan, although it is the applicant's duty to ensure that all plots are legibly described.

Environmental Statement

The environmental statement has taken a 'Rochdale envelope' approach to the assessment of environmental impacts, identifying a range of possible sizes and types of project design component. The applicant is advised to check that all the parameters used as the basis of the environmental impact assessment correspond to the maximum parameters within the DCO. It would be of assistance if these checks were completed before the beginning of the examination.

Habitats Regulations Assessment

The Inspectorate notes that for a number of the HRA Screening and Integrity Matrices

(Doc 12.6.3) the explanatory footnotes are incomplete. These will need to be provided for the examination to assist with consultation undertaken as part of the examination.

I trust that this advice is useful to you and aids your preparation for examination of the scheme. We suggest any updated documents be made available to the Inspectorate with the s58 certificates to inform initial assessment of the preliminary issues, or submitted to the Preliminary Meeting if the earlier date is not possible. Some of the documents requested may be able to be submitted in electronic format only and where this is the case, the Inspectorate will convey this to you as soon as possible.

Yours sincerely

Katherine Chapman

Katherine Chapman
Case Manager

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.

Plots not clearly described in Land Plans and the Book of Reference

Land Plan	Plot number	Comment
6	154	Not clearly shown on map. No inset sheet provided
9	195	Not clearly shown on map. No inset sheet provided (4 Sq. m)
9	196	Not clearly shown on map. No inset sheet provided (2 sq. m)
9	197	Not clearly shown on map. No inset sheet provided (1 sq. m)
14	261	Land description does not match the plot pointed on map. It should be the south of Grimsby Road.
14	262	Land description does not match the plot pointed on map. It should be the south of Grimsby Road
14	266	Land description does not match the plot pointed on map. It should be the south of Grimsby Road
14	267	Land description does not match the plot pointed on map. It should be the south of Grimsby Road
17	307	Not clearly shown on map. No inset sheet provided (35 sq. m)
17	308	Not clearly shown on map. No inset sheet provided (32 sq. m)
17 18	312	Not clearly shown on map. No inset sheet provided (31 sq. m)
17 18	313	Not clearly shown on map. No inset sheet provided (30 sq. m)
21 22 23	389	Land description does not match the plot pointed on map. It should be the north of A180
21 22 23	390	Land description does not match the plot pointed on map. It should be the north of A180
21 22 23	391	Land description does not match the plot pointed on map. It should be the north of A180
21 22 23	392	Land description does not match the plot pointed on map. It should be the north of A180
22 23	393	Land description does not match the plot pointed on map. It should be the north of A180
23	415	Not the south of Glebe Farm only West
23	416	Not the south of Glebe Farm only West
23 24	419	Not the south, north and west of Glebe Farm
27	495	Not clearly shown on map. No inset sheet provided
27	496	Not clearly shown on map. No inset sheet provided