

## Planning Inspectorate review of Early Adopter Programme products associated with the Five Estuaries Offshore Wind Farm

### Background

The Five Estuaries Offshore Wind Farm project volunteered to take part in the Early Adopters Programme (EAP) which involves the trialling of potential components of a future enhanced pre-application service. Amongst other components, the project chose to engage in trialling the production of a Policy Compliance Document (PCD) to support its application. The potential value of this document has been indicated through an operational review of the Planning Act 2008 (PA2008) process and its production relations to government policy objectives pertaining to a smoother and potentially faster post-submission stages in a reformed PA2008 service.

As participants in the Planning Inspectorate's Early Adopters Programme (EAP), the Applicant has submitted a draft version of its Policy Compliance Document (dPCD). To support this submission the Applicant has also provided a draft of its Planning Statement (dPS). The Inspectorate notes that whilst the review of a dPS does not fall within the remit of the EAP, it has agreed to review this document in conjunction with dPCD due to their interrelationships.

It is recognised that the dPS provided is a skeleton document at this stage and that, in the Applicant's words, the dPCD exists to support it. The dPS is intended to "*bring all the principle matters together into one statement*" to "*assist consultees and the Secretary of State to determine [the application]*" (para. 1.1.3). Para. 1.4.2 of the dPCD expresses the purpose of the dPS as "*[setting] out the need for the Application in the context of the National Policy Statements [NPS] and national and local policy, as well as a planning assessment considering the relationship between [the application] and the relevant policies.*"

The purpose of the dPCD, in the Applicant's words, is set out at para. 1.1.4 of the document: "*The Applicant has provided information on the Application in accordance with the NPSs (as well as other relevant plans and policies) in its Planning Statement and other application documents as set out in Sections 1.3 and 1.4 below. However, the Applicant recognises the potential usefulness of a Policy Compliance Statement to assist the Examining Authority (ExA) in making its recommendation, and the SoS in making its determination on the Application.*" Later, at para. 1.7.1, the Applicant explains the purpose of the Policy Compliance Tables, which comprise most of the 185-page document: "*The tables below provide the relevant elements of NPS EN-1, EN-3 and EN-5 and demonstrates the Application's accordance with them. In addition, section 5 draws out and discusses key national and local planning policies, which are considered to be applicable.*"

### The Planning Statement vs the Policy Compliance Document

In the Inspectorate's opinion the Planning Statement and Policy Compliance Document discharge discrete but individually important purposes, summarised as follows:

- The **Planning Statement** provides narrative evidence demonstrating how the project fits into the national and local policy context. This might be achieved by a discussion of policy objectives and how in its vision, ambition, design and proposed implementation and operation the proposal sits within the planning policy framework and how it meets environmental, economic, community, place-making and carbon-reduction targets both nationally and locally. It is a resource which assists a wide range of stakeholders to understand the planning case for the scheme.

- The **Policy Compliance Document** provides itemised evidence for how the policy requirements established within the relevant NPS(s) and other important national and local policy are satisfied by the application. It should be approached section by section/ requirement by requirement and outline the Applicant's response with links to (a) evidence in the Environmental Statement (ES), (b) the outcomes and (c) where they are secured. The idea is that it becomes a living document, updated with tracked changes during the course of the examination as the policy response develops beyond the original submission. It is a resource which may assist a variety of stakeholders but will have particular value for appointed Examining Authorities, helping to monitor the performance of the scheme against policy requirements and objectives in a systematic way.

### **Advice to the Applicant**

The Inspectorate's main observations are concerned with how the dPCD and dPS, as discrete tools, either complement or duplicate each other; with advice arising in respect of how future drafts of each document might mature to optimise the relationship between them.

The principal difference between the two documents is that the dPS adopts a themed approach, addressing all the relevant policy requirements under each theme; while the dPCD systematically works through all the policy requirements in each relevant NPS or other policy statement, completing one before moving on to the next. The Inspectorate considers that there is merit in both approaches, depending on the interest of the reader, and that the adoption of each approach in the context of each document is compatible with the vision for they should interact and add value.

However, as currently drafted, there is a great deal of repetition and duplication within both documents, particularly in reproducing NPS text. The Inspectorate advises the Applicant to consider how such repetition could be minimised in future drafts through a system of cross-referencing eg full version NPS text provided in the dPCD and signposted (hyperlinked) to the dPS at relevant sections. Related, both documents as they stand have a selective and unexplained approach to the identification of NPS content which requires a policy response from the Applicant. The Inspectorate advises for the Applicant to either provide text to explain/ justify the inclusion or omission of text or address all text on a paragraph-by-paragraph basis, which would remove any debate about why particular paragraphs have been included or ignored. This would provide assurance to those members of the public unfamiliar with the content of the NPS that the response to policy is comprehensive.

As currently drafted, the dPCD seeks to demonstrate how the application 'accords' or 'complies' with the policy framework, providing the reader with a guide to where in the ES a particular issue has been address, with a brief commentary on the nature of the evidence. While a guide to where evidence can be found is helpful, it may be of limited value during the examination. It provides more of a guide to 'process' rather than to 'outcome'. Value would be added if there were references to how addressing the policy context will affect the outcome, particularly at operational stage, and where in the draft Development Consent Order important actions resulting from the policy review are secured.

The Inspectorate notes that there appears to be a technical issue in the dPS supplied as it is difficult to correlate the NPS paragraph references in column 1 of Table 6.1 to the description of the content of the paragraphs referenced in column 2. It is possible this derives from the use of now superseded drafts of the revised NPSs.