

## **Planning Inspectorate review of Early Adopter Programme products associated with the Outer Dowsing Offshore Wind Farm**

The Outer Dowsing 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 Design Approach Document (DAD) and a Policy Compliance Document (PCD) to support its application. The potential value of these documents has been indicated through an operational review of the Planning Act 2008 (PA2008) process and their production relates to [government policy objectives](#) pertaining to smoother and potentially faster post-submission stages in a reformed PA2008 service.

### **Draft Design Approach Document**

#### **Background**

On 4 August advice was issued to the Applicant summarising the intended purpose and content of a DAD. A draft Design Principles Document (dDPD) has been submitted by the Applicant for review against the EAP component associated with the production of a DAD.

In the Inspectorate's 4 August advice, it established that good design is not primarily about how a building or structure looks, although these considerations – the aesthetics – are important. Good design is about the whole process of putting a project together to ensure that as far as possible it achieves the objectives of functioning efficiently and effectively; sits well in the landscape; achieves sustainability, including low-carbon construction, operation and decommissioning; is of pleasing appearance in its context and makes a positive contribution to the life of the community in which it is located. So, the process by which the design is achieved is all important. There needs to be analysis of the project and the location, vision; narrative; a clear statement of design principles: an understanding of why a particular location was selected; an explanation of the design choices that have been made; and a programme of consultation.

The Planning Inspectorate has reviewed the dDPD provided on the assumption that the Applicant considers that it discharges the objectives of a DAD; an inference that the Inspectorate does not support. However, providing the submission in this form presents an opportunity for the Inspectorate to elaborate on the intended role of a DAD and emphasise the potential value of its production early in the process.

The Inspectorate considers that a DAD can and should be prepared before a DPD at the outset of the project and the DPD should be an output derived from the DAD. Mature versions of both documents should accompany the submitted application. The DAD should set out three things, [as suggested by the National Infrastructure Commission Design Group](#):

1. **Design process:** the use of a structured design process facilitates effective local consultation (a key part of the 'front loaded consultation' Development Consent Order process); provides a framework for early consideration of environmental issues; and drives project team collaboration. This 'de-risks' projects significantly.
2. **Design principles:** the use of design principles provides for the governance of design through the life of a project. This gives confidence to communities, examining authorities, and decision makers. And crucially, it can lead to speedier delivery, as applicants are able to seek approval on the basis that design principles will: provide the framework within which design is developed; and support the subsequent discharge of requirements for Development Consent Order projects.

3. **Multiple beneficial outcomes:** an effective contextual approach to design will secure opportunities for additional beneficial outcomes. Given the scale of public investment in infrastructure, it is important we go further than simply the provision of operationally efficient developments. A proper focus on design can deliver joined-up, spatial planning outcomes that go wider than the project itself, delivering benefits to local communities. In addition, delivery of a positive 'outcomes-based approach', rather than merely the mitigation of adverse effects, aligns with emerging government thinking in relation to new environmental impact legislation, following our withdrawal from the European Union.

As a consequence of not producing a DAD as a precursor to the DPD, it is not clear that the evidence achieves these objectives at this stage. As a work in progress (a) the dDPD contains several key gaps, acknowledged in the text, and including the final selected site; and (b) because it is being put together rather like a jigsaw missing the final picture, it is not clear what the ultimate purpose is or what is driving the 'final' design approach. In particular (and inevitably at this stage) there is no site (or sites, if the National Grid Electricity Transmission substation is included as the Inspectorate considers it should be) to focus the spatial design work upon. In other situations, once a site has been selected a design brief would be drawn up to inform the detailed design going forward. This key stage appears to be missing.

The Inspectorate considers that the dDPD, in seeking to discharge the requirements of a DAD:

- Does not provide a sense of vision or intentionality beyond solving the technical and regulatory problems; and
- does not explore whether, in the context of the selected site, other beneficial outcomes, including achieving a sense of place, can be secured in addition to generating renewable energy. It is clearly not too late in the process to address whether other outcomes or a sense of placemaking can be achieved; however, on the basis of the content available in the dDPD it is not indicated whether there is an intention to explore these potential outcomes.

There are indications that these elements are coming together, but key work is still in progress, and it remains to be seen whether the final DPD would achieve the ambitions set out above.

### **Advice to the Applicant**

The Inspectorate accepts that the preparation of the design case is an iterative process and that some elements cannot be determined until later in the process; but it considers there would be substantial value in setting out the approach, the programme, the ambition and the process at the beginning, within a DAD. On this basis, and in order to properly test the objectives associated with the DAD component within the EAP, the Applicant is advised to prepare a DAD within the scope described within this advice and to provide a draft for review in advance of the submission of the application. The Inspectorate accepts that this will be a partly retrospective exercise but considers that preparation of a DAD now is likely to assist understanding of the development of the design case for the whole system and result in a smoother post-submission experience within this aspect.

The review of the dDPD reinforces, in the Inspectorate's opinion, the need for a DAD to be prepared at the beginning of the process. The fact that a DAD has not been produced at an optimised juncture in this case cannot be a criticism of the Applicant as the EAP was not a live initiative at that stage. The DAD can be a short document; but it needs to set out the

Applicant's ambition for the project and how it intends to seek to deliver that ambition in terms of the elements that need to be considered and the programme to do so. It may be that the ambitions set out at the beginning cannot be delivered or need to be amended as the work programme progresses; but what appears to be important in achieving 'good design' is a different mindset or culture that sees delivering an NSIP as not just overcoming a series of technical and regulatory hurdles within an established business model; but as a process that has ambitions, not just for the technical hardware, but for the place and the community in which the hardware is located. It is not clear that the current approach is best designed to achieve this.

To assist the Applicant in separating the functions of the DPD and the DAD, and to suggest ways in which the evidence presented in each document can be optimised, additional comments are tabulated in the annex, below.

### **Policy Compliance Document**

In addition to the DAD, the Inspectorate has reviewed the draft PCD provided and makes the following observations:

- The scope and content of the skeleton PCD broadly aligns with the Inspectorate's expectations for this product, however the relative absence of demonstration of compliance within the various tables has not allowed the Inspectorate to develop a more subjective view at this stage. The Inspectorate can resource for an Inspector to review a more mature iteration of this product if reasonable notice of intention is provided prior to submission of the application.
- The PCD skeleton covers both the extant and draft suites of Energy NPSs, which is sensible at this stage, but the Inspectorate would expect for the superseded suite to be deleted from the submission version of this document **if** the updated Energy NPSs are designated prior to the submission of the application.
- It is helpful that the PCD explains the interaction with the Planning Statement. We are conscious of the potential for duplication between these documents and it helpful to see the applicant's interpretation of how this should work and the benefits that a discrete PCD offers. Through the EAP PINS/DLUHC will develop thinking around the PCD and how the relationship with the PS can be optimised in the future full service.
- Draft iterations of this product in other cases have culminated in a summary of policy focus areas which will benefit the ExA/ wider system and the Inspectorate endorses. The Applicant is advised to consider incorporating an equivalent feature in its PCD.

## Annex

Location	Comment
Section 1.3	<p>The dDPD states that a National Grid Electricity Transmission (NGET) substation will be required and that it will be in proximity to the substation for the project. In the absence of information on where this will be located it is impossible to judge the quality of the project as a whole. If the two substations are in proximity the relationship between them; their joint effects on the landscape and other receptors; and the opportunity for positive benefit and placemaking are important factors in assessing the design quality of the project as a whole. The Applicant is advised to seek confirmation from National Grid on possible locations and timing of the NGET substation as soon as possible, and where applicable for a clear strategy concerning options to be presented within the submitted application.</p> <p>Because the site for the project substation is not known and the location of the NGET substation has not been disclosed, it is not possible to produce a DPD other than at a very high level, which a DAD could achieve. Producing a dDPD at this stage, albeit with acknowledged and fully explained gaps, discredits the process somewhat. The Inspectorate considers that a credible DPD can only be produced after the site has been identified and analysed.</p>
Para 20	<p>It isn't clear how the document aims listed in this paragraph are met in the subsequent structure of the document. The document should include a clear link between the purpose set out here and its structure. For example, how have the design commitments and changes made since earlier drafts been recorded, and how will the input of the various design groups and any decisions they make be recorded?</p>
Section 1.4	<p>This section quotes the relevant National Policy Statement paragraphs on 'good design'; but there is no attempt to explain how the Applicant has interpreted these words into design objectives or principles for the project.</p>
Para 29	<p>This paragraph identifies the two categories of design aspects, ie those where items/elements are fixed by (for example) engineering constraints ('A') and those items/elements that are more flexible and where design can be more readily influenced ('B'). However, subsequent sections of the document that describe items/elements in more detail do not explicitly specify which category they would fall under.</p> <p>The document would benefit from a description of design aspects/elements and the category they fall under. This would help to identify those elements/aspects where design is flexible/inflexible.</p>
Section 2.3.2 and para 39	<p>Proposals for design review in this section appear to be led and controlled by the design team with the 'external review' coming late in the process and to have a limited role and remit.</p> <p>Who will be members of the 'Design Review Panel' and is it mainly an internal or external group? At what point in the process would an external/independent review take place. Additionally, paragraph 39</p>

	<p>describes the aims of the October CLG “Substation South” Group meeting to determine various aspects of the design process, including a ‘design group’, which is not clearly defined or described. This group appears to comprise a range of bodies wider than the Design Review Panel. The document refers to the involvement/contribution of several additional groups, including ‘Community Liaison Groups’, ‘Expert Topic groups’, ‘design group’ and ‘October CLG ‘Substation South’ Group”, but does not explain what these groups are or who they comprise and their relationship to one another.</p> <p>How and when would these various groups be established and how do they continue to support design during pre-submission, Examination, and following any granted DCO?</p> <p>How would conflicts be resolved and where does the final responsibility for decisions lie with these groups?</p> <p>The document should provide a clear description of the various groups and their interactions. This could also be usefully demonstrated in the form of an organogram/diagram or other visual representation.</p>
Para 65	<p>This paragraph indicates that the gas-insulated substation (GIS) technology requires one main building; however, up to two GIS buildings are described in previous sub-sections and at Table 3.1 (parameters). Additionally, both are stated to require two control rooms, whilst paragraph 66 describes ten other small buildings, including control rooms. It would help to clarify the number and types of buildings here.</p>
Section 5.10	<p>Lighting strategies can also be influenced by environmental factors such as proximity to sensitive environmental receptors. Where relevant, this section could include reference to the proposed lighting design and the findings of the Environmental Statement in respect of lighting, including reference to mitigation measures that may be secured through strategies such as the proposed Outline Landscape and Ecological Management Strategy (OLEMS).</p>
Section 5.11	<p>This section uses phrases such as ‘can be’ or ‘takes consideration of’ and so there is no certainty that the commitments made to using the landscape features will be included as described in the design.</p>
General	<p>The information provided at this stage on key design elements such as the landscape scheme, NGET layout, indicative substation layout, building design and materials, treatment of surface areas, fencing, noise mitigation measures, lighting, etc is generic. There is clearly more work to do here; but because the site has not yet been finally identified it is impossible to comment on the quality of what is proposed and whether it is appropriate for the site in its context.</p>
General	<p>The document would benefit from further references to how design and relevant mitigation measures would be secured through the dDCO, such as lighting measures, noise, landscaping etc.</p>
General	<p>The document is missing a concluding section to describe the next steps and the link between pre- and post-submission design development.</p>