

REPORT OF THE HEAD OF DEVELOPMENT MANAGEMENT

**SUBJECT: ATLANTIC ARRAY ENVIRONMENTAL STATEMENT -
CONSULTATION WITH STATUTORY CONSULTEES UNDER SECTION 42 OF
THE PLANNING ACT 2008**

Purpose of Report

The above formal pre-application consultation has been received. Given the scale of the proposal, it is of benefit for Members to be informed of the actions being taken to respond at this pre-application stage.

Background

RWE intend to submit an application to the National Infrastructure Department (NID) at the end of 2012 for Atlantic Array to the south of Pembrokeshire and north of Devon. The link in the background papers below will provide more detail on the area proposed and the consultation that is underway.

The range of turbines which RWE will apply for planning permission for will now be between 188 and 278. The maximum capacity of the proposed wind farm is 1500 MW. Due to the introduction of a cap of 278 turbines, should the wind farm be built out with 3.6MW turbines the total capacity would be 1000 MW, or if built out with 5 MW turbines the total capacity would be 1390 MW.

Various consultations have preceded this current consultation. To reduce the visual effects of the proposal, consideration has been given, where possible, to:

- reduce the horizontal spread of the wind farm in the seascape
- increase the distance of the wind farm from the coastline
- reduce the density of the turbines within the wind farm
- increase the visibility of land across the channel.

The revised project design, alongside the results of our environmental assessments, form part of a draft environmental statement.

The consultation period commenced on the 4th July and closes on the 31st August 2012. During this time the draft Environmental Statement and Non Technical Summary are to be available at public access points and on our website.

Members have also had an opportunity to view the proposals on the 27th of July at Pembroke Dock.

It is intended that in December 2012 the final application in the form of Development Consent Order and Environmental Statement will be made to the Planning Inspectorate. Please see Appendix A for what happens once received by the Inspectorate. If accepted by the Inspectorate then this will be the opportunity for the Authority to formally agree and submit views.

At this pre-application stage the developer is required to carry out extensive consultation on their proposals. Responding to the developer's pre-application consultation is the best time to influence a project, whether you agree with it, disagree with it or believe it could be improved.

With this in mind Officers have engaged professional landscape consultants to assist us in providing an Officer pre-application response. The consultants are providing independent advice on likely visual impacts on this National Park.

Given the importance of the area a detailed seascape analyses will be required to provide an independent assessment of the project's effects on the landscape, seascape and visual resources of the area, as well as effects on the settings of historic landscapes and monuments.

Officers within the Authority are also being canvassed for views. Members will be advised of Officers' pre-application response.

Recommendation

Members note the approach being taken in relation to the Atlantic Array proposals.

Background Papers

<http://www.rwe.com/web/cms/en/1524102/rwe-innogy/sites/wind-offshore/developing-sites/atlantic-array-offshore-wind-farm/consultation-documents>

(For further information, please contact Vicki Hirst)

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Appendix A Planning Inspectorate Role Atlantic Array

The Planning Act 2008 process was introduced to streamline the decision-making process for nationally significant infrastructure projects, making it fairer and faster for communities and developers alike.

The 2008 Act was amended by the Localism Act 2011, and the key stages in the process are:

Acceptance

The acceptance stage begins when a developer submits a formal application for development consent to the NID of the Planning Inspectorate. There follows a period of up to 28 days (excluding the date of receipt of the application) for the Planning Inspectorate to consider whether or not the application meets the standards required to be formally accepted for examination.

Pre-examination

At this stage, the public will be able to register with the Planning Inspectorate and provide a summary of their views of the application in writing. At pre-examination stage, everyone who has registered and made a relevant representation will be invited to attend a preliminary meeting run and chaired by an Inspector. This stage of the process takes approximately 3 months from the developer's formal notification and publicity of an accepted application.

Examination

The Planning Inspectorate has six months to carry out the examination. During this stage, people who have registered to have their say are invited to provide more details of their views in writing. Careful consideration is given by the Examining Authority to all the important and relevant matters, including the representations of all interested parties, any evidence submitted and answers provided to questions set out in writing and explained at hearings.

Planning Inspectorate recommendation / Secretary of State's decision

The Planning Inspectorate must prepare a report on the application to the relevant Secretary of State, including a recommendation, within 3 months of the six month examination period. The Secretary of State then has a further 3 months to make the decision on whether to grant or refuse development consent.

Post decision

Once a decision has been issued by the Secretary of State, there is a six week period in which the decision may be challenged in the High Court. This process of legal challenge is known as Judicial Review.