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Mr Mark Saunders
Sustainability Officer
Planning and Development
Services
North Devon Council

Your Ref:

Our Ref: EN010015

Date: 25th January 2013

By E-mail

Proposed project: Atlantic Array Wind Farm (EN010015)

Dear Mr Saunders

Thank you for your e mail of 22nd January with enquiries regarding the pre-examination process for the above project.

Please note that this project has not yet been submitted, so if either council has concerns that may affect the project, you are recommended to approach the developer directly:

[Craig Harwood](#) tel. 01793 474193

To answer your queries about the status of the two councils and how you can separately or jointly take part in the examination process:

The onshore development of the proposed application being within Torridge District Council (TDC) makes TDC a 'B authority', in other words it will automatically become an Interested Party once the application is submitted. If no part of the proposed application is located within North Devon Council it is not a host authority. However, as North Devon Council shares a boundary with TDC it is an 'A authority'. The Planning Inspectorate writes to both A and B authorities approximately 2-3 weeks before the expected submission date, advising that they will be invited to give an 'adequacy of consultation' representation.

If the application is subsequently accepted, both the developer and the Planning Inspectorate will write to you, giving important dates and more information about the procedure.

As an 'A authority' North Devon Council will not automatically become an Interested Party. However, it will nevertheless receive the invitation letter to the Preliminary Meeting and the procedural decision (rule 8) letter which is sent out approximately 1 week after the Preliminary Meeting. For North Devon Council to become an Interested Party it will need to either make a relevant representation or write to the Planning Inspectorate after the rule 8 letter indicating its wish to become an Interested Party. Interested Parties have the right to make written representations in accordance with the examination timetable set by the Examining Authority and speak at relevant hearings.

Furthermore, if and when the project is submitted, updates will appear on the project page on the website:

<http://infrastructure.planningportal.gov.uk/projects/south-west/atlantic-array-wind-farm/>

You can see from another project (East Anglia One) that has recently been accepted, that a section will appear on the right hand side of the front page, giving dates for next steps.

<http://infrastructure.planningportal.gov.uk/projects/Eastern/East-Anglia-ONE-Offshore-Windfarm/>

Also, once a project has been accepted and the developer has published and notified the relevant representation period, the relevant representation form for this case will appear on the project page of our web-site. The relevant representation form will only be available on our website during the relevant representation period.

I refer you to our Advice Notes on the National Infrastructure Planning Portal:

<http://infrastructure.planningportal.gov.uk/legislation-and-advice/advice-notes/>

In particular:

Advice Note 1 - Local impact reports

Advice Note 8.1-5 – How to get involved in the planning process

You asked if your two councils can raise issues in the LIR which are not just within their planning jurisdiction. Advice Note 1 lists topics which can be included, but also says:

"This list is neither exhaustive nor prescriptive. Local authorities should cover any topics they consider relevant to the impact of the proposed development on their area."

"Any topics" could therefore include the ones you have mentioned – "marine mammals, migratory birds, highways etc."

The two authorities can also make joint submissions, and send joint teams to any meetings or hearings. In that case please ensure that it is made clear who is being represented.

I hope I have answered the points you raised. If we can be of further help please do not hesitate to call.

Yours sincerely

Jack Wride

Case Officer
National Infrastructure Directorate,

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.