



Project planning

Alistair Welch discusses the planning and consenting process with Anne Savage of The Crown Estate

The Crown Estate has a number of work streams dedicated to addressing the key issues in the development of the UK's offshore wind sector. In the previous issue of *Offshore Wind Engineering*, we spoke to Peter Hodgetts about best practice in health and safety; this month

our focus moves to planning and consenting. Round 3 has brought with it significant changes, of both a practical and regulatory nature, to the planning and consenting process for offshore windfarms. Manager of planning and consents for the Marine Estate, Anne

Savage, in conversation with *Offshore Wind Engineering*, offers advice to offshore developers and supply chain stakeholders in navigating the consenting framework. Before moving to The Crown Estate in 2010, Anne had completed a PhD in marine biology and worked as

an environmental consultant on several renewable energy projects. As such, she is able to offer developers the benefit of her experience from both an academic and industry perspective.

OWE: Anne, could you describe the work you are doing with The Crown Estate for the offshore wind sector?

AS: My role here is more strategic than a typical consultancy position. Rather than dealing with individual projects I work on strategic consenting issues across the sectors that the Marine Estate is responsible for: primarily offshore wind, but wave and tidal also feature. We don't get involved in specific projects per se, but my team addresses issues that are preventing developers from getting consents for offshore wind projects and finds out if there is anything we can do as The Crown Estate to help them.

What does your typical working week involve?

I am largely office-based. The Crown Estate does not tend to get involved in the day-to-day delivery of projects. Internally, I provide advice to colleagues on planning and consenting issues. I might provide feedback on reports that have been submitted. The external side involves working with stakeholders to explain what Round 3 is about. I also sit on a number of forums and represent The Crown Estate in relation to offshore wind.

How have things changed with regard to planning and consenting from Rounds 1 and 2 to Round 3?

There have been two huge changes. The first is a significant change in the

regulatory regime for planning and consenting: in Round 3 developers have to apply for different consents than they did in Rounds 1 and 2 (R1&2). The second is in the sheer scale of offshore wind that is now being developed. Round 1 windfarms were small and close to the coast - this was essentially a demonstration round. Round 2 projects tended to be slightly larger, but Round 3 represents a massive step up in scale with windfarms of higher capacity, further from shore - this introduces new challenges in terms of planning and consenting.



What exactly are those new challenges?

In order to get consent for building a windfarm, you need to undertake an Environmental Impact Assessment (EIA), so you have to understand the environment in which you are building the windfarm. A developer needs to carry out bird surveys and surveys for marine mammals alongside surveys for commercial fishing, navigation, leisure and archaeological interests.

Such surveys get more and more difficult the further you get offshore: partly because it takes longer to get there, partly because the weather window is greatly reduced as the waves are bigger and partly because of the sheer time it is taking to survey the massive Round 3 zones. Furthermore, there is not a stock of background data that has already been collected.

Does a developer need to survey the entirety of a Round 3 zone?

The way that Round 3 works is slightly different to R1&2. In R1&2 developers applied for a discrete area of seabed

on which to build a windfarm. The Crown Estate gave them an agreement for lease, they got consent, and then built.

In Round 3 because of the increase in scale, instead of giving agreement for lease for individual projects, we give developers 'zone development agreements'. These offer the developer a level of exclusivity over a large area of seabed with the expectation that they will determine the most suitable location or locations to position projects. In R1&2 different developers were working close to each other on different timescales and that introduced its own problems.

Different developers are looking at their zones in different ways. Some are surveying the whole zone in great detail before they decide where individual projects will go. Others have identified an area pretty quickly and are developing a single project zone. Others are halfway in between - they have done a level of zone-wide work and are also bringing projects forward at the same time. We encouraged developers to use the Zone Appraisal and Planning

framework (ZAP) which we developed to look at the whole of a zone.

What are the typical timescales for survey work?

It varies from zone to zone. Some zones are putting a lot of work up front to get themselves completely organised and will bring through projects in reasonably quick succession. Others are doing things over a longer period of time towards 2020.

What is The Crown Estate's role in the planning and consenting process?

Once the developer has their zone development agreement and has identified an area within the zone where they think they want to build a project, they then turn that area into an agreement for lease - this is where we get involved. The Crown Estate does not have the right to grant development - we just hold the rights over the seabed - the agreement is conditional on getting the necessary statutory consents.

The developer is responsible for making the consent application to the relevant body, whether that is Marine

Scotland or the IPC (Infrastructure Planning Commission). Once they have got consent, they can then go ahead and build. Fundamentally, The Crown Estate is the landowner not a regulator.

Are there infrastructure problems in delivering the right surveying processes? Do enough qualified companies exist who can offer these specialised services?

There are two issues. Firstly there is a finite number of people who can do the survey work and EIAs. Secondly, there is a finite number of lawyers to deal with the consenting procedure. As time goes by and the number of applications mounts up there will be pressure on those resources. Indeed, we are already seeing people being stretched, either in terms of their ability to deliver pieces of work on time, or in terms of statutory consultees not having sufficient resources to respond to reports - we are quite concerned about it.



As The Crown Estate we have programme data for all nine of the Round 3 zones and we know approximately when those applications will go to the IPC or Marine Scotland. As the number of applications goes up over the coming years there will be increased pressure on the surveying companies.

How is The Crown Estate helping to work towards a solution?

We are working in quite a difficult situation because the majority of statutory consultees are funded directly by the government and under the current economic conditions there are issues in getting more staff on board. However, even if there were an unlimited amount of money, there is a skills shortage in terms of the number of people available who are qualified to do the work. It is a very specialist area: an ornithologist, for example, needs to understand the issues for birds for offshore wind in some detail. There is undoubtedly a solution, but, as yet, we don't know exactly what the solution looks like.

Does your department collaborate with other Crown Estate work streams?

We have strategic work streams that support Round 3 - these work together and are able to appreciate synergies across each other. I work closely with Adrian Fox (Supply Chain work stream) to understand how the supply chain responds to uncertainty in the consent regime.

People are working together to

overcome problems and we are working on particular concerns. Firstly, we are addressing the issue of skills and resource shortage and uncertainty about the new planning act process. Secondly, even in a world of unlimited resources, there are still environmental issues that need to be addressed - the impact on birds, mammals, human factors and so forth. In a lot of cases these effects are not clearly understood and there is not a large evidence base from which to work.

The Crown Estate is taking a proactive role in Round 3 - will this continue?

With R1&2 The Crown Estate was not so involved and logjams in the planning and consenting process were experienced. In Round 3 we have been attempting to solve these problems through the zone approach and our work streams.

What were the most significant findings of RenewableUK's report into the state of the offshore wind industry?

The key issues include the habitat directive and the EU law that backs that up. The industry feels it is being asked to provide more information than it can for EIA. The report asks for a more reasoned approach. A lot of the recommendations are asking the regulators to work closely with offshore developers to find a sensible path forward. The industry does not want to cut corners on EIA, but it cannot fill in all the gaps because it is just not possible.

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