

Kate Harvey  
Gallopier Wind Farm Limited  
55 Vastern Road  
Reading  
RG1 8BU

19 December 2011

Dear Mrs Harvey

**Planning Act 2008 (“2008 Act”) section 55 (Acceptance Stage)**

**Application by Gallopier Wind Farm Ltd (“the developer”) for a Development Consent Order for the proposed Gallopier offshore wind farm and proposed onshore and offshore infrastructure, near Sizewell (“the development”)**

**Notification of decision to accept application under section 55 of the 2008 Act**

**IPC Reference: EN010003**

I refer to your application purporting to be an application for an order granting development consent made under s37(2) of the 2008 Act and received by the Commission on 21 November 2011.

The Commission has concluded that the provisions in s55(3)(a) – (e) inclusive have been satisfied. In respect of the conclusion reached under s55(3)(e) the Commission has had regard to the matters set out in s55(4). The Commission is therefore of the view that it can accept the application for examination.

You should be aware that this decision to accept the application does not incorporate a decision on whether all of the development for which authorisation is sought falls within s115 of the 2008 Act.

You should also be aware that the Commissioner’s decision to accept the application in accordance with s55 of the 2008 Act does not fetter the competent authority’s subsequent consideration of likely significant effects. If the examining authority is unable to conclude any necessary ‘appropriate assessment’ prior to making a recommendation it would be required to conclude that the competent authority under the Conservation of Habitats and Species Regulations 2010<sup>1</sup> should refuse to authorise the project.

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<sup>1</sup> These regulations transpose Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora.

Please be aware of your duties under s56, s58 and s59 of the 2008 Act and Regulations 8, 9 and 10 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

Yours faithfully



**Jan Bessell**  
**Commissioner**  
**on behalf of the Commission**

Enquiries telephone: 0303 444 5000

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