Offshore Wind Development in England & Wales

This flowchart describes how the development of offshore wind farms is regulated in the Exclusive Economic Zone in the United Kingdom, but principally in England & Wales. The long and complex process is described chronologically from left to right in accordance with applicable laws, policies and guidance notes. The blue boxes denote procedures which are applicable to commercial-sized projects, whereas the yellow apply to pilot projects, typically involving small-scale floating offshore wind projects.

The flowchart is primarily based on Leasing Rounds 4 and 5 which have been arranged and governed on a discretionary basis by the Crown Estate. The most recent Round 5 centred on large-scale development of floating offshore wind in the Celtic Seas. Aside from the governance of Leasing Rounds, the flowchart relies on the Planning Act 2008 and its associated regulations which regulate the licensing procedure for offshore wind farms bigger than 100 MW. For pilot projects less than 100 MW, a different and more fragmented licensing procedure applies.

The laws, regulations and policies applicable to offshore wind farm development in the UK is constantly changing and it is therefore stressed that the flowchart should be read keeping in mind that the regulatory hemisphere may have changed since the creation of the chart as per the 15.01.2025.

15 January 2025

Strategic Environmental Assessments

The Department for Business, Energy & Industrial has conducted a Strategic Environmental Assessment (SEA), the most recent being OESEA4, in consideration of offshore renewables, oil & gas and gas storage, and associated infrastructure.

Adoption of Marine Spatial Plan

The Marine Management Organisation adopts regionspecific plans which contain policies for the development of offshore wind in given marine areas.

Designation of Bidding Areas

Based on assessments and consultations with stakeholders, the Crown Estate will designate bidding areas where developers can compete in tenders or in other noncompetitive procedures.

Tender Rounds

The Crown Estate arranges a tender for commercialsize projects which is made bespoke to each leasing round. Typically, these involve pre-qualification procedures and the submissions of bids in the form of Option Fees.

Test & Demonstration Leasing

The Crown Estate can accept applications for Test & Demonstration (T&D) projects of less than 100 MW floating offshore wind, without engaging in competitive tender procedures.

Applications for Planning Consents

For T&D projects, developers can bypass the NSIP application process, but must nevertheless obtain a S. 36 Consent, a Marine License and other relevant planning consents.

Decommissioning

Having reached the end of its operational lifecycle, the offshore wind farm must be decommissioned by the developer.

Development and Operation Cycle

Once developers have procured all necessary licenses, they can develop and operate the offshore wind farm subject to the conditions in the applicable license[s].

CfD Allocation Round

Licensees in possession of all necessary consents to develop and operate an offshore wind farm can partake in Allocation Rounds for Contract for Difference (CfD) schemes. These are arranged by the Department for Energy Security and Net Zero.

Habitats Regulations Assessment

Any authority proposing to authorise, consent or carry out a plan or project that may affect a protected area must first carry out a Habitat Regulations Assessment (HRA).

Acceptance

The Planning Inspectorate makes a preliminary assessment of whether the pre-application phase has been complied with.

Pre-Examination

An Examining Authority is appointed to assess the application, either comprising single appointed persons or a panel.

Decision-Making

The Secretary of State makes a decision on the recommendation. The decision-making must be exercised in accordance with established National Policy Statements.

Agreement for Lease Successful applicants can sign an Agreement of Lease, which afford exclusive rights to apply for additional consents within a Project Development Area.

Pre-application Phase for DCO

Commercial offshore wind projects (NSIPs) need a Development Consent Order (DCO) from the Secretary of State. An Environmental Impact Assessment (EIA) is required, and all license applications and a draft DCO must be submitted for consideration.

Examination

The Examining Authority makes a comprehensive assessment of the DCO application, and makes a recommendation to the Secretary of State.