



Planning Inspectorate  
Arolygiaeth Gynllunio

# Section 55

## Acceptance of Applications Checklist

**Appendix 2 of** Advice on the preparation and submission of application documents

## East Midlands Gateway phase 2 Section 55 Acceptance of Applications Checklist

Relevant sections of the Planning Act 2008 can be viewed at legislation.gov.uk, here: <http://www.legislation.gov.uk/ukpga/2008/>

All other secondary legislation referred to in this checklist is searchable, here: <https://www.legislation.gov.uk/>

**DISCLAIMER:** This checklist is a non-statutory checklist for The Planning Inspectorate to complete. Completion or self-assessment by the applicant does not hold weight at the acceptance stage. Unless specified, all references to The Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government.

Section 55(2) Acceptance of applications				
1	Within 28 days (starting day after receipt) The Planning Inspectorate must decide whether or not to accept the application for examination.	Date received	28-day due date	Date of decision
		<b>15 October 2025</b>	<b>12 November 2025</b>	<b>12 November 2025</b>
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	In accordance with sections(s) 14 to 30 of the Planning Act 2008 (the PA2008), is the development a Nationally Significant Infrastructure Project (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that, in accordance with s31 of the PA2008, it is an application for a development consent order (DCO) under the PA2008, or	<b>Yes</b> The proposed development set out in <b>schedule 1</b> of the <b>Draft DCO (Doc 3.1)</b> includes development falling within the categories in s14 of the PA2008. The development is for the construction of a: <ul style="list-style-type: none"> <li>a business and commercial project comprising a logistics and advanced manufacturing development under a direction given by the Secretary of State pursuant to section 35 of the PA2008; and</li> </ul>		

	<p>equivalent words? Does the application specify the development to which it relates, meaning which category or categories in s14 to 30 does the proposed development fall?</p> <p>If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<ul style="list-style-type: none"> <li>alterations to a trunk road in England controlled by a strategic highway company (National Highways) on behalf of the Secretary of State under section 14(1)(h) and meeting the criteria for an NSIP contained in section 22(1), (3), (4) and (5).</li> </ul> <p>This is consistent with the summary provided in <b>section 4</b> of the <b>Application Form (Doc 1.1)</b> which states that the application is for two NSIPs.</p> <p>A copy of the s35 direction is provided with the application in the <b>Environmental Statement Appendix 1B Section 35 Direction (Doc 6.1B)</b>. It confirms the Secretary of State's decision that the proposed development, and any associated matters, should be treated as development for which development consent is required under the PA2008.</p>
3	<b>Summary: Section 55(3)(a) and s55(3)(c)</b>	The Planning Inspectorate is satisfied that the <b>Draft DCO (Doc 3.1)</b> includes development for which development consent is required.
<b>Section 55(3)(e): The applicant in relation to the application made has complied with chapter 2 of part 5 (pre-application procedure)</b>		
4	<p>In accordance with regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA regulations), did the applicant (prior to carrying out consultation in accordance with s42) either (a) request The Planning Inspectorate adopt a screening opinion in respect of the development to which the application relates, or (b) notify The Planning Inspectorate in writing that it proposed to provide an</p>	<p><b>Yes</b></p> <p>On 13 August 2024 the applicant notified the Planning Inspectorate in accordance with regulation 8(1)(b) of the EIA regulations of its intention to provide an environmental statement in respect of the proposed development, which is confirmed in <b>table 5</b> of the <b>Consultation Report (Doc 5.1)</b>. Furthermore <b>paragraph 1</b> of <b>Appendix D PINS Scoping Opinion (Doc 6.1D)</b> confirms that the notification was received before the start of statutory consultation on 3 February 2025.</p>

	<p>environmental statement in respect of that development?</p>	<p>The Inspectorate adopted a Scoping Opinion on 24 September 2024 which is appended to the Environmental Statement in <b>Appendix D PINS Scoping Opinion (Doc 6.1D)</b>.</p> <p>A sample letter, provided in <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>, indicates that the s42 consultation commenced on 3 February 2025</p>
5	<p>Have any Adequacy of Consultation Representations been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they confirm that the applicant has complied with the duties under s42, s47 and s48?</p> <p>Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received.</p>	<p><b>Yes</b></p> <p>There are 18 host and neighbouring authorities, of which 7 responded to The Planning Inspectorate’s invitation, dated 22 October 2025, to make an Adequacy of Consultation Representation (AoCR)</p> <p>All 7 responding authorities confirmed in their AoCR that either the applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> <li>• North West Leicestershire Council (B Authority)</li> <li>• Leicester County Council (C Authority)*</li> <li>• Leicester City Council (D Authority)</li> <li>• Lincolnshire County Council (D Authority)</li> <li>• Rutland County Council (D Authority)</li> <li>• Charnwood Borough Council (A Authority)</li> <li>• South Derbyshire District Council (A Authority)</li> </ul> <p>*The council confirmed the applicant had complied with its duties to consult under s42, s47 and s48 of PA 2008 – it has however provided three</p>

		<p>letters/emails sent to the applicant dated 13 March 2025, 1 May 2025 and 28 July 2025 expressing its concerns that some consultation materials may have been misleading to the public.</p> <p>Taking into careful consideration Leicester County Council's AoCR, alongside AoCRs from other responding local authorities, the Planning Inspectorate deems the applicant's consultation to be adequate.</p> <p>These are available to view on the Find a National Infrastructure Project website: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/BC0410001/documents">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/BC0410001/documents</a></p>
<b>Section 42: Duty to consult</b>		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	<p>Section 42(1)(a) persons prescribed?</p> <p>The persons prescribed are the statutory consultees set out in schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP regulations).</p>	<p><b>Yes</b></p> <p>The applicant has provided a list of persons consulted under s42(1)(a) on 30 January 2025 at <b>appendix 14</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
7	<p>Section 42(1)(aa) the Marine Management Organisation(MMO)?</p> <p>The MMO must be consulted in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008.</p>	<b>N/A</b>

8	<p>Section 42(1)(b) each local authority within s43?</p> <p>Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority.</p>	<p><b>Yes</b></p> <p><b>Table 10</b> in <b>chapter 6</b> of the <b>Consultation Report (Doc 5.1)</b> lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) on 30 January 2025.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> <li>• North West Leicestershire Council</li> </ul> <p>The host 'C' authority was consulted:</p> <ul style="list-style-type: none"> <li>• Leicestershire County Council</li> </ul> <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Charnwood Borough Council</li> <li>• Erewash Borough Council</li> <li>• Hinckley and Bosworth Borough Council</li> <li>• Lichfield District Council</li> <li>• North Warwickshire Borough Council</li> <li>• Rushcliffe Borough Council</li> <li>• South Derbyshire District Council</li> </ul> <p>The boundary 'D' authorities were consulted:</p> <ul style="list-style-type: none"> <li>• Derbyshire County Council</li> <li>• Leicester City Council</li> <li>• Lincolnshire County Council</li> <li>• Nottinghamshire County Council</li> </ul>
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		<ul style="list-style-type: none"> <li>• Staffordshire County Council</li> <li>• Warwickshire County Council</li> <li>• Rutland County Council</li> <li>• North Northamptonshire Council</li> <li>• West Northamptonshire Council</li> </ul> <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	<b>N/A</b>
10	<p>Section 42(1)(d) each person in one or more of s44 categories?</p> <p>Category 1: owner, lessee, tenant or occupier of land</p> <p>Category 2: person interested in the land or has power to sell and convey the land or to release the land</p> <p>Category 3: persons who would or might be entitled to make a relevant claim</p>	<p><b>Yes</b></p> <p><b>Appendix 17</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> states that all persons identified under s42(1)(d) were consulted on 31 January 2025</p> <p><b>Table 10</b> in <b>chapter 6</b> of the <b>Consultation Report (Doc 5.1)</b> demonstrates how the applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the <b>Draft DCO (Doc 4.3)</b>.</p> <p>The persons consulted under s42(1)(d) are listed at <b>appendix 17</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p> <p>A sample of the letter is provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
<b>Section 45: Timetable for s42 consultation</b>		

11	Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?	<p><b>Yes</b></p> <p>A sample of the letter sent to s42 consultees is provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p> <p>The sample letter dated 30 January 2025 confirmed that consultation commenced on 3 February 2025 and closed on 17 March 2025, providing more than the required minimum time for receipt of responses.</p>
<b>Section 46: Duty to notify The Planning Inspectorate of proposed application</b>		
12	Did the applicant supply information to notify The Planning Inspectorate of the proposed application; and if so, was the information supplied to The Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p><b>Yes</b></p> <p>The applicant gave notice under s46 on 31 January 2025, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at <b>appendix 10</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> and a copy of s46 notification acknowledgement letter from The Planning Inspectorate is provided at <b>appendix 13</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
<b>Section 47: Duty to consult local community</b>		
13	Did the applicant prepare a statement of community consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p><b>Yes</b></p> <p>A copy of the applicant's final SoCC is provided at <b>appendix 5</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if	<b>Yes</b>



	so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and, where applicable, 'C' authorities received the consultation documents?	<p>The applicant sent the draft SoCC to North West Leicestershire Council ('B Authority') and Leicestershire County Council ('C' authority) on 18 October 2025 and set a deadline of 18 November 2025 for responses; providing more than the required minimum time for responses to be received.</p> <p><b>Chapter 4</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the applicant consulted with the host authorities.</p> <p>The responses received are in <b>appendix 7</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>
15	Has the applicant had regard to any responses received when preparing the SoCC?	<p><b>Yes</b></p> <p><b>Tables 7 and 8</b> in <b>chapter 4</b> of the <b>Consultation Report (Doc 5.1)</b> provides a summary of the consultation responses from North West Leicestershire District Council and Leicestershire County Council in respect of the draft SoCC and demonstrates how the applicant had regard to their content.</p> <p>Examples of changes from the draft SoCC to the final SoCC include:</p> <ul style="list-style-type: none"> <li>• The additional local newspapers suggested by North West Leicestershire District Council were included on the list for publication of statutory notices regarding Socc and for providing details about future consultation events, by publishing in the Derby Evening Telegraph, Loughborough Echo and Nottingham Evening Post, to ensure a wider coverage into parts of Nottinghamshire and Derbyshire</li> <li>• The core consultation area was expanded to ensure that communities likely to have an interest in the Highways work around M1 junction 24 would receive direct communication regarding the proposals and statutory consultation as requested by North West Leicestershire District Council</li> </ul>

		<ul style="list-style-type: none"> <li>• MP's were included in response to Leicestershire County Councils comments</li> </ul> <p>The Planning Inspectorate is satisfied that the applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p><b>Yes</b></p> <p>The final SoCC was made available at the following locations, which is reasonably convenient having regard to the location of the proposed development:</p> <ul style="list-style-type: none"> <li>• North West Leicestershire District Council, Customer Centre, Belvoir Road, Coalville, LE67 3XF</li> <li>• Castle Donnington Library, 101 Bondgate Castle, Donnington, Derbyshire, DE74 2LJ</li> <li>• Applicant's website: <a href="https://segro.com/countries-repository/united-kingdom/segro-logistics-park-east-midlands-gateway-2">https://segro.com/countries-repository/united-kingdom/segro-logistics-park-east-midlands-gateway-2</a></li> </ul> <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> <li>• Derby Telegraph 18 December 2024</li> <li>• Leicester Mercury 18 December 2024</li> <li>• Loughborough Echo 25 December 2024</li> <li>• Nottingham Post 18 December 2024</li> </ul> <p>The published SoCC notice, provided at <b>table 5</b> of the <b>Consultation Report (Doc 5.1)</b> states where and when the final SoCC was available to inspect.</p> <p>Clippings of the published advertisements are provided at <b>appendix 9</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b>.</p>

17	In accordance with regulation 12 of the EIA regulations, does the SoCC set out whether the development is EIA development; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?	<p><b>Yes</b></p> <p><b>Paragraphs 2.11 to 2.13</b> of the final SoCC at <b>appendix 8</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> sets out that the development is EIA development and sets out how the applicant intended to publicise and consult on the preliminary environmental information.</p>
18	Has the applicant carried out the consultation in accordance with the SoCC?	<p><b>Yes</b></p> <p><b>Appendix 8</b> in <b>chapter 7</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> sets out how the community consultation was carried out in line with the final SoCC.</p> <p><b>Table 12</b> in <b>chapter 7</b> of the <b>Consultation Report (Doc 5.1)</b> provides details of adherence to the SoCC</p> <p><b>Appendix 31</b> of the <b>Consultation Report Appendices 20 to 31 (Doc 5.1D)</b> provides evidence that the commitments within the final SoCC have been carried out.</p>
<b>Section 48: Duty to publicise the proposed application</b>		
19	Did the applicant publicise the proposed application in the prescribed manner set out in regulation 4(2) of the (as amended) APFP regulations?	<p><b>Yes</b></p> <p><b>Paragraph 8.6</b> of the <b>Consultation Report (Doc 5.1)</b> states:</p> <p><i>As per the requirements of Regulation 4 of the APFP Regulations and Regulation 14(1)(a) the section 48 was published as set out in the table below. The publication dates for the Loughborough Echo are later because it is a local paper which is only published weekly rather than daily.</i></p> <p><b>Table 13</b> of the <b>Consultation Report (Doc 5.1)</b> displays the newspapers and dates of s48 publicity as set out below.</p>

		A copy of the s48 notice is provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> .  Clippings of the published notices set out below are provided in <b>appendix 12</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> :																					
<table><tr><th></th><th></th><th>Newspaper(s)</th><th>Date</th></tr><tr><td>a)</td><td>for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</td><td><ul style="list-style-type: none"><li>Leicester Mercury</li><li>Derby Telegraph</li><li>Nottingham Post</li><li>Loughborough Echo</li></ul></td><td>Leicester Mercury, Derby Telegraph and Nottingham Post on 31 Jan 2025 and 7 February 2025  Loughborough Echo 5 &amp; 12 February 2025</td></tr><tr><td>b)</td><td>once in a national newspaper;</td><td><ul style="list-style-type: none"><li>The Times</li></ul></td><td>31 January 2025</td></tr><tr><td>c)</td><td>once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</td><td><ul style="list-style-type: none"><li>The London Gazette</li></ul></td><td>31 January 2025</td></tr><tr><td>d)</td><td>where the proposed application relates to offshore development –</td><td>N/A</td><td>N/A</td></tr></table>						Newspaper(s)	Date	a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	<ul style="list-style-type: none"><li>Leicester Mercury</li><li>Derby Telegraph</li><li>Nottingham Post</li><li>Loughborough Echo</li></ul>	Leicester Mercury, Derby Telegraph and Nottingham Post on 31 Jan 2025 and 7 February 2025  Loughborough Echo 5 & 12 February 2025	b)	once in a national newspaper;	<ul style="list-style-type: none"><li>The Times</li></ul>	31 January 2025	c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"><li>The London Gazette</li></ul>	31 January 2025	d)	where the proposed application relates to offshore development –	N/A	N/A
		Newspaper(s)	Date																				
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	<ul style="list-style-type: none"><li>Leicester Mercury</li><li>Derby Telegraph</li><li>Nottingham Post</li><li>Loughborough Echo</li></ul>	Leicester Mercury, Derby Telegraph and Nottingham Post on 31 Jan 2025 and 7 February 2025  Loughborough Echo 5 & 12 February 2025																				
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c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"><li>The London Gazette</li></ul>	31 January 2025																				
d)	where the proposed application relates to offshore development –	N/A	N/A																				

	(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?		
20	Did the s48 notice include the required information set out in regulation 4(3) of the (as amended) APFP regulations?	<b>Yes</b> The published s48 notice, supplied at <b>appendix 12</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> contains the required information as set out below:	
<b>Information</b>		<b>Paragraph</b>	
a)	the name and address of the applicant.	b)	a statement that the applicant intends to make an application for development consent to the Secretary of State
	Yes. Paragraph 1 of the s48 notice details the name and address of the applicant. Provided at <b>appendix 12</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> .		Yes. Paragraph 1 of the s48 notice states that the applicant proposes to apply to the Planning Inspectorate.
c)	a statement as to whether the application is EIA development	d)	a summary of the main proposals, specifying the location or route of the proposed development
	Yes.		Yes.

		Paragraph 2 of the s48 notice states that the application is EIA development.			Paragraph 1 of the s48 notice summarises the main proposals, specifying the location of the proposed development.
e)	<p>a statement that the documents, plans and maps were available on a website maintained by or on behalf of the applicant. The statement must include:</p> <ul style="list-style-type: none"> <li>the nature and location of the proposed development</li> <li>the address of the website</li> <li>the place on the website</li> <li>a telephone number which can be used to contact the applicant for enquiries in relation to the documents, plans and maps</li> </ul>	<p>Yes.</p> <p>Paragraph 2 of the s48 notice covers the availability of the documents for inspection.</p>	f)	the latest date on which those documents, plans and maps will be available for inspection	<p>Yes.</p> <p>The penultimate sentence of the s48 notice details the latest date. The documents were available for inspection from 3 February to 17 March 2025</p>

g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	Yes. Paragraph 4 of the s48 notice details the charges. Documents were available free of charge on the Applicant's website, a memory stick or where inspected at specified public locations. A cost of £600 was identified for paper copies	h)	details of how to respond to the publicity	Yes. The penultimate paragraph of the s48 notice details how to respond.
i)	a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published	Yes. The penultimate sentence of the s48 notice gave the deadline for receipt of responses.			

		The deadline given was 17 March 2025, which provided 37 days from 7 February or 32 days from 12 February 2025 (being the day after it was last published in each newspaper) for responses to be received.	
21	Are there any observations in respect of the s48 notice provided above?		
	<b>No</b>		
22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with regulation 13 of the EIA regulations?	<p><b>Yes</b></p> <p>A copy of the s48 notice was sent to the EIA consultation bodies as part of the s42 consultation, as confirmed in <b>chapter 8</b> of the <b>Consultation Report (Doc 5.1)</b>. This is also confirmed in <b>box 14</b> of the <b>Application Form (Doc 1.1)</b>.</p> <p>A sample of the s42 consultation letter provided at <b>appendix 11</b> of the <b>Consultation Report Appendices 1 to 17 (Doc 5.1A)</b> confirms a copy of the s48 notice was enclosed.</p>	



s49: Duty to take account of responses to consultation and publicity		
23	Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p><b>Yes</b></p> <p><b>Chapter 9</b> of the <b>Consultation Report (Doc 5.1)</b> sets out how the applicant had regard to the consultation responses received; including whether or not responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
S50(3) Regard to guidance about pre-application procedure		
24	<p>To what extent has the applicant had regard to statutory guidance 'Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects'?</p> <p>The Planning Inspectorate must have regard to the extent to which the applicant has had regard to guidance issued under s50.</p>	<p><b>Paragraph 15.1</b> of the <b>Consultation Report (Doc 5.1)</b> states that the applicant has had regard to all relevant statutory guidance.</p> <p>The applicant has demonstrated that it has had regard to the advice issued by The Planning Inspectorate in relation to the statement in <b>table 25</b> of the <b>Consultation Report (Doc 5.1)</b>.</p> <p>Having reviewed the application, The Planning Inspectorate is satisfied that the applicant has identified and had regard to the relevant statutory guidance.</p>
25	<b>Summary: Section 55(3)(e)</b>	The applicant has complied with chapter 2 of part 5 (pre-application procedure) of the PA2008.
<b>s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</b>		

26	<p>Is it made in the prescribed form as set out in schedule 2 of the APFP regulations, and does it include:</p> <ul style="list-style-type: none"> <li>• a brief statement which explains why it falls within the remit of The Planning Inspectorate; and</li> <li>• a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme?</li> </ul>	<p><b>Yes</b></p> <p><b>Box 4</b> of the <b>Application Form (Doc 1.1)</b> explains why the development falls within the remit of The Planning Inspectorate.</p> <p><b>Box 5</b> of the <b>Application Form (Doc 1.1)</b> provides a brief non-technical description of the site and <b>section 6</b> provides the location of the proposed development.</p> <p>A <b>Location Plan (Doc 2.1)</b> has been provided.</p>
27	Is it accompanied by a consultation report?	<p><b>Yes</b></p> <p>The application is accompanied by a <b>Consultation Report (Doc 5.1)</b> and <b>Consultation Report Appendices (Doc 5.1A – 5.1D)</b>.</p>
28	In accordance with regulation 5(4) of the APFP regulations, where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets?	<b>Yes</b>
29	Is it accompanied by the documents and information set out in APFP regulation 5(2)?	The documents and information required by APFP regulation 5(2) are set out in the documents and locations within the application as listed below:
<p><b>Information</b>                      <b>Document</b></p>		<p><b>Information</b>                      <b>Document</b></p>

a)	Where applicable, an environmental statement required under the EIA regulations and any scoping or screening opinions or directions	<b>Environmental Statement, Main Statement (Doc 6.1)</b>	b)	a draft development consent order (DCO)	<b>Draft Development Consent Order (Doc 3.1)</b>
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	<b>Yes</b>
c)	An explanatory memorandum explaining the purpose and effect of provisions in the draft DCO	<b>Explanatory Memorandum to Draft Development Consent Order (Doc 3.2)</b>	d)	Where applicable, a book of reference	<b>Book of Reference (Doc 4.3)</b>
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	<b>Yes</b>
e)	A copy of any flood risk assessment	<b>Environmental Statement Appendix G: EMG2 Flood Risk Assessment (Doc 6.13G)</b>	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990	<b>Statutory Nuisance Statement (Doc 5.6)</b>

h)			i)	(statutory nuisances) and if so, how the applicant proposes to mitigate or limit them	
	Is this of a satisfactory standard?	<b>Yes</b>		Is this of a satisfactory standard?	<b>Yes</b>
	A statement of reasons and a funding statement (where the application involves any compulsory acquisition)	<b>Statement of Reasons (Doc 4.1)</b> <b>Funding Statement (Doc 4.2)</b>		A land plan identifying: <ul style="list-style-type: none"> <li>the land required for, or affected by, the proposed development</li> <li>where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land</li> <li>any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and</li> </ul>	<b>Land Plan (Doc 2.2 and 2.2A – 2.2D)</b>

j)			k)	<ul style="list-style-type: none"> <li>any special category land and replacement land</li> </ul>	
	Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)		Is this of a satisfactory standard?	<b>Yes</b>
	<p>A works plan showing, in relation to existing features:</p> <ul style="list-style-type: none"> <li>the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</li> <li>the limits within which the development and works may be carried out and any limits of deviation provided for in the draft DCO</li> </ul>	<b>Works Plan (Doc 2.3 and 2.3A – 2.3D)</b>		Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	<b>Access and Rights of Way Plan (Doc 2.4, 2.4A and 2.4B)</b>

	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in box 30)
l)	<p>Where applicable, a plan with accompanying information identifying:</p> <ul style="list-style-type: none"> <li>any statutory or non-statutory sites or features of nature conservation, for example sites of geological or landscape importance</li> <li>habitats of protected species, important habitats or other diversity features; and</li> <li>water bodies in a river basin management plan;</li> </ul>	<p><b>Environmental Statement Appendix 10B Landscape and Visual Impact Assessment (LVIA) Figures (Doc 6.10B)</b></p> <p><b>Environmental Statement Appendix 9L Protected Species Licences and LONIs (Doc 6.9L)</b></p> <p><b>Environmental Statement Appendix 9A Preliminary Ecological Appraisal (Doc 6.9A) (Figures 1a – 3f)</b></p> <p><b>Environmental Statement Appendix 13B Surface Water Bodies Figure (Doc 6.13B)</b></p> <p><b>Environmental Statement Chapter 9</b></p>	m)	<p>Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (for example scheduled monuments, world heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development</p>	<p><b>Environmental Statement Appendix 12G Heritage Receptors (Doc 6.12G)</b></p> <p><b>Environmental Statement Chapter 12 Cultural Heritage (Doc 6.12)</b></p>

	together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development	<b>Ecology and Biodiversity (Doc 6.9)</b> <b>Environmental Statement Chapter 10 Landscape and Visual (Doc 6.10)</b> <b>Environmental Statement Chapter 13 Flood Risk and Drainage (Doc 6.13)</b>			
	Is this of a satisfactory standard?	<b>Yes</b> (with further detail contained in accompanying s51 advice)		Is this of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)
n)	Where applicable, a plan with any accompanying information identifying any Crown land	n/a	o)	Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water	<b>Parameters Plan (Doc 2.5)</b> <b>Illustrative Landscape Masterplan (Doc 2.6)</b> <b>Components Plan (Doc 2.7)</b> <b>Highway Plans General Arrangement Plans (Doc 2.8 and 2.8A – 2.8D)</b> <b>Highway Classification Plan (Doc 2.12)</b> <b>Traffic Regulation Plan (Doc 2.13)</b>

p)			q)	management, means of vehicular and pedestrian access, any car parking and landscaping	<b>Speed Limit Plan (Doc 2.14)</b> <b>Special Category Land Plan (Doc 2.15)</b> <b>Community Park Plan (Doc 2.16)</b>
	Is this of a satisfactory standard?	n/a		Are they of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)
	Any of the documents prescribed by regulation 6 of the APFP regulations	<b>Highway Plans General Arrangement (Doc 2.8A – 2.8D)</b> <b>Highway Plans Cross Sections (Doc 2.9 and 2.9A – 2.9C)</b> <b>Highway Plans Long Sections - Key Plan (Doc 2.10 and 2.10A – 2.10D)</b> <b>A453 Bridge Plan (Doc 2.11)</b>		Any other documents considered necessary to support the application	<b>Guide to the Application (Doc 1.3)</b> <b>Pre-Application Land and Rights Negotiations Tracker (Doc 4.4)</b> <b>Consents and Licences Required under Other Legislation (Doc 5.2)</b> <b>Design Approach Document (Doc 5.3)</b> <b>Planning Statement (Doc 5.4)</b> <b>Market Analysis/Need Report (Doc 5.5)</b> <b>Construction Environmental Management Plan and Construction Traffic Management Plan (Doc 6.3A)</b>
	Are they of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)		Are they of a satisfactory standard?	<b>Yes</b> (with minor discrepancies as noted in box 30)
30	Are there any observations in respect of the documents provided at box 29 (a) to (q) above?				



**Explanatory Memorandum (EM) (Doc 3.2)**

- i. The applicant is advised to check all references to, and titles of, other application documents are correct throughout the document. For example, at paragraph 2.3 the 'Highways Plans General Arrangement' is listed as Document Series DCO 2.5, where it should be DCO 2.8, and appears to be missing either 'Key Plan' from the document title or 'Arrangement' should be pluralised.
- ii. In relation to article 28(4)(a), the need for this provision needs to be set out. It is not standard text.
- iii. In relation to article 29(4), the need for this provision needs to be set out. It is not standard text.
- iv. There is currently no explanation as to why the changes proposed by Schedule 8, Part 1, Existing Orders, are required. It would also aid consideration if copies of the relevant Orders, and any amending Orders, were submitted into the examination.
- v. The EM needs to explain explicitly why each and every legislative provision set out in schedule 14 (miscellaneous controls) is required in the particular circumstances of the proposed development.

**ES Chapter 6 (Doc 6.6D) and Appendix 6.6D (Doc 6.6D)**

- i. The following links have been incorrectly identified either in the text of the ES Chapter 6 (tables 6.9 and 6.14) or appendix 6.6D:
  - 141 and 145 – which are said to be the Kegworth bypass but are shown in Castle Donnington
- ii. The following links have been numerated in tables 6.9 and 6.14 of ES Chapter 6, but the extents are either not shown at all or not clearly in appendix 6.6D:
  - 8, 29, 31, 34, 35, 37, 38, 39, 45, 47, 96, 97, 108, 126, 141, 149, 150, 151, 152, 153, 154, 155, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174

All the above should be provided

- iii. Paragraph 6.3.43 of chapter 6 of the ES sets out that the phases in Local Transport Plan 4. However, the dates on Phase 2 have the start date after the beginning. Can the whole of this paragraph be checked.

**ES Appendix 12G (Doc 6.12G)**

Would benefit from labelling of the features of the historic environment shown on this plan.

**ES Chapter 19 (Doc 6.19)**

Paragraph 19.6.33 has an 'Error! Reference source not found.' Can this be amended as necessary

**Access and Rights of Way Plan (Docs 2.4, 2.4A and 2.4B)**

Clarity would be improved by introducing 'cut-lines' or similar (as has been done for the Highways Plans, General Arrangement, and Works Plans) in relation to the overlapped area on both Docs 2.4A and 2.4B, so that information is on one plan or other, but not both. Neither is currently comprehensive. This is also likely to involve amendments to the draft DCO (Doc 3.1), schedules 4, 5 and 6, which is currently inconsistent.

**Construction Environmental Management Plan and Construction Traffic Management Plan (Doc 6.3A)**

Please review s51 advice issued

**Planning Statement (Doc 5.4)**

Please review s51 advice issued

**Market Analysis/Need Report (Doc 5.5)**

Please review s51 advice issued

**Highway Plans Long Sections Sheets 1-4 (Doc 2.10A – 2.10D)**

Colours used in the Legend for marking the *Proposed Design* and *Chainage Lines* become difficult to distinguish when they cross or run next to each other. Consider altering to non-analogous colours whilst being mindful of the red colour used for *Order Limits*.

**Components Plan (Doc 2.7)**

The purple line used to show the M1 northbound to A50 westbound link (DCO Works No. 9) has small spikes protruding intermittently along its length; this feature does not appear in the plan Legend.

Section 51 advice has been issued to the applicant and is available to view on the Find a National Infrastructure Project website: <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/BC0410001/documents>

31	In accordance with regulation 5(2)(g) of the APFP regulations, is the application	Yes
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	<p>accompanied by a report identifying any European site(s) to which regulation 48 of The Conservation (Natural Habitats, &amp;c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1)?</p>	<p><b>A Habitat Regulations Assessment (HRA) Report</b> is provided in <b>Environmental Statement Appendix H Shadow Habitats Regulation Assessment (sHRA) (Doc 6.9H)</b></p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance</p> <p>Note: The Examining Authority will be able to ask questions during the examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the examination.</p>
32	<p>In accordance with regulation 5(2)(r) of the APFP regulations, if requested by The Planning Inspectorate, have two paper copies of the application form and other supporting documents and plans been provided?</p>	<p><b>No hard copies requested.</b></p>
33	<p>Has the applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?</p>	<p><b>Yes</b></p> <p><b>Paragraph 15.3</b> and <b>table 24</b> of the <b>Consultation Report (Doc 5.1)</b> explains how the applicant has had regard to statutory guidance.</p> <p>Although it does not specifically reference the application form guidance, the Planning Inspectorate is satisfied that the applicant has demonstrated regard to the guidance principles.</p>
<b>34</b>	<p><b>Summary - s55(3)(f) and s55(5A)</b></p>	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p>

		In respect of the discrepancies identified in box 30 of this checklist, to help facilitate an efficient and effective examination of the application s51 advice has been provided to the applicant in conjunction with the decision to accept the application. That advice is published on the Find a National Infrastructure Project website, here: <a href="https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/BC0410001/documents">https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/BC0410001/documents</a>
<b>The Infrastructure Planning (Fees) Regulations 2010</b>		
<b>Pre-application fee</b>		
35	<p>Were all pre-application fees paid before the application was made?</p> <p>Pre-application services for which a fee can be charged is defined in regulation 2A(8) and includes services listed within schedule 1 of the Infrastructure Planning (Fees) Regulations 2010. Fees for pre-application services apply to all proposed applications, from the inception meeting. These fees must be paid within 28 days of the notice. If the applicant fails to pay the fee within 28 days, The Planning Inspectorate will not provide the applicant with any further pre-application services or take any further steps in relation to the proposed application.</p>	The fees for providing the applicant with standard pre-application services were received on 28 May 2025 and 10 November 2025.
<b>Fees to accompany an application</b>		

36	<p>Was the fee paid at the same time that the application was made?</p> <p>The Planning Inspectorate must charge the applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the applicant fails to pay the fee, The Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made</p>	The fee was received on 7 October 2025; before the application was made.
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Role	Electronic signature	Date
Case Manager	Matthew Sheard	11 November 2025
Acceptance Inspector	Robert Jackson	11 November 2025