



# EAST PARK ENERGY

**East Park Energy**

EN010141

## **Consultation Report Appendices Part 7**

**Document Reference: EN010141/DR/5.2**

Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009: Regulation 5(2)(q)

**September 2025**

Version P01

# EAST PARK ENERGY

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

## Consultation Report Appendices Part 7

<b>APFP Regulation Reference:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference:</b>	EN010141
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# **APPENDIX 7-1      CONSULTATION REPORT**

## **APPENDIX 7-1: REGARD TO PRE-APPLICATION GUIDANCE [EN010141/DR/5.2]**

Guidance reference	Guidance	Applicant's regard to guidance
<b>Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects</b>		
Paragraph 004 Reference ID 02-004-20240430	The NSIP consenting process is intended to be front-loaded. The pre-application stage is therefore critical and should be used to ensure project proposals are prepared in line with applicable National Policy Statements (NPS) designated under <a href="#">Part 2 of the Planning Act</a> . Relevant legislation and policies should also be taken into consideration where applicable to the proposed project. The pre-application stage should allow the likely effects of a project to be fully consulted upon, with the design of the project evolving up to the point of application submission.	<p>When developing the DCO application documents, the Applicant has had regard to the relevant legislation and policies which are explained within the documents. It has also been prepared in line with the relevant National Policy Statements.</p> <p>The Applicant held two rounds of pre-application public consultation prior to submitting a DCO application, in order to allow for the design of the Scheme to evolve in response to feedback and for consultation on the likely effects of the proposals. More information on evolution of the Scheme design and the consultation the Applicant has undertaken can be found in the following documents:</p> <ul style="list-style-type: none"> <li>• <b>ES Vol 3 Figure 3-3 [EN010141/DR/6.3];</b></li> <li>• <b>Design Approach Document [EN010141/DR/7.4];</b> and</li> <li>• <b>Consultation Report [EN010141/DR/5.1].</b></li> </ul>
Paragraph 004 Reference ID 02-004-20240430	The overriding objective of this guidance is to encourage a pre-application process which is effective and proportionate to the nature of the proposed project. This must ensure that the legal requirements of the <a href="#">Planning Act</a> and the <a href="#">EIA Regulations 2017</a> are met, particularly involving consultation stages and the early consideration of alternatives.	The <b>Environmental Statement [EN010141/DR/6.1 / 6.2 / 6.3]</b> and <b>Consultation Report [EN010141/DR/5.1]</b> outline how the legal requirements of the Planning Act 2008 and EIA Regulations 2017 have been met.
Paragraph 004 Reference ID 02-004-20240430	<a href="#">Chapter 2 of Part 5 of the Planning Act</a> sets out statutory requirements for applicants to engage in pre-application consultation with local communities, local authorities, statutory consultees and those who would be directly affected by the project. This includes the Marine Management Organisation, in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in <a href="#">section 42(2) of the Planning Act</a> . The front-loaded emphasis on consultation in the NSIP consenting process is designed to ensure a good standard of preparation of applications enabling efficient acceptance and post-acceptance stages.	The Applicant has undertaken thorough consultation through engagement with local communities, local authorities, statutory consultees and those who would be directly affected by the project during the pre-application stage. This took place through a non-statutory consultation, a statutory consultation and ongoing engagement. This has been outlined in the <b>Consultation Report [EN010141/DR/5.1]</b> .

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 006 Reference ID 02-006-20240430	During the pre-application stage an applicant must: notify the Planning Inspectorate acting on behalf of the Secretary of State of the proposed application on or before commencing statutorily required consultation under <a href="#">section 46 of the Planning Act</a> , principally with statutory bodies, local authorities and persons with interests in the land;	On 23 <sup>rd</sup> September 2024, the Applicant notified the Planning Inspectorate under Section 46 of the Planning Act 2008 of the statutory consultation by email, as outlined in <b>Section 5.8</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 006 Reference ID 02-006-20240430	notify the Planning Inspectorate on behalf of the Secretary of State that they intend to provide an Environmental Statement in respect of the proposed development, or that they will be asking the Planning Inspectorate on behalf of the Secretary of State to adopt a screening opinion ahead of submitting the application ( <a href="#">Regulation 8 of the EIA Regulations 2017</a> ); this should be informed by early engagement with interested parties before formal consultation under <a href="#">section 42 of the Planning Act</a> ;	The Applicant submitted an Environmental Impact Assessment Scoping Report to the Planning Inspectorate on 30 <sup>th</sup> October 2023, supporting their request for a Scoping Opinion under Regulation 10 of the EIA Regulations. Under Regulation 8(1)(b) of the EIA Regulations, a cover letter was also submitted as a notification to accompany the Scoping Report, which highlighted that the Applicant proposed to provide an Environmental Statement with an application for an order granting development consent. Details of the notification can be found in <b>Section 3.2</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 006 Reference ID 02-006-20240430	prepare a statement in consultation with the relevant local authority or authorities, commonly termed the Statement of Community Consultation ("SoCC"), which describes how the applicant proposes to consult the local community about their project and then carry out consultation in accordance with that statement, as required by <a href="#">section 47 of the Planning Act</a> and <a href="#">Regulation 12 of the EIA Regulations 2017</a> ;	The Applicant prepared and consulted on the Statement of Community Consultation with the relevant local authorities, detailed in <b>Chapter 4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .  Evidence of how the statutory consultation complied with the SoCC has been outlined in <b>Section 5.17</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 006 Reference ID 02-006-20240430	make the SoCC available for inspection by the public in a way that is reasonably convenient for people living in the vicinity of the land where the development is proposed, publishing the statement and a newspaper notice stating where and when the statement can be inspected, as required by <a href="#">section 47 of the Planning Act</a> ;	The final version of the SoCC was made available on the project website on 24 <sup>th</sup> September 2025, as outlined in <b>Chapter 4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> and evidenced in <b>Consultation Report Appendix 3-9: Website screenshot showing SoCC can be downloaded [EN010141/DR/5.2]</b> .

Guidance reference	Guidance	Applicant's regard to guidance
		<p>The SoCC was made available at all the in-person public consultation events, as detailed in <b>Section 4.8</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p> <p>A newspaper advert publicising the locations where the SoCC could be viewed was placed in The Hunts Post on 18<sup>th</sup> September 2025. Evidence of the published notice can be found in <b>Consultation Report Appendix 3-6: Section 47 and 48 notices - The Hunts Post [EN010141/DR/5.2]</b>.</p>
<p>Paragraph 006 Reference ID 02-006-20240430</p>	<p>identify and consult statutory consultees, local authorities and all persons with land interests as required by <a href="#">section 42 of the Planning Act</a> and <a href="#">Regulation 3</a> and <a href="#">Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009</a> (as amended) ("the APFP Regulations 2009");</p>	<p>Persons prescribed under Section 42(1)(a) are listed in column 1 of the Schedule to the "Miscellaneous Provisions Regulations 2024". These 2024 Regulations came into force on 30th April 2024 replacing the table in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("2009 Regulations"), with an updated table of prescribed consultees. The statutory consultation took place after 30 April 2024, therefore the Miscellaneous Provisions Regulations 2024 was used as the prescribed persons list.</p> <p><b>Section 5.4</b> of the Consultation Report <b>[EN010141/DR/5.1]</b> outlines the approach to identifying s42(1)(a) consultees and when they were consulted.</p> <p>The Applicant wrote to all Section 42(1)(b) local authorities (as identified in Section 43) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024 and by email on 24<sup>th</sup> September 2024. The consultation notification letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>, whilst a full list of the bodies consulted under Section 42(1)(b) can be found in Table 12 of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
		<p>The Applicant wrote to all Section 42(1)(d) consultees (as identified in Section 44) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024. A total of 98 persons were identified under Categories 1 and 2, whilst no persons were identified under Category 3. The consultation notification letter can be found in <b>Consultation Report Appendix 4-4: Letter sent to consultees under section 42(1)(d) [EN010141/DR/5.2]</b> whilst a full list of the persons consulted under Section 42(1)(d) can be found in the <b>Book of Reference [EN010141/DR/4.3]</b>.</p> <p>The Applicant has provided a list of persons consulted under s42 and the dates they were notified in <b>Consultation Report Appendix 4-1: List of consultees under section 42 (a-b) [EN010141/DR/5.2]</b>.</p>
Paragraph 006 Reference ID 02-006-20240430	set a deadline for consultation responses required by <a href="#">section 42 of the Planning Act</a> of not less than 28 days from the day after receipt of the consultation documents as required by <a href="#">section 45 of the Planning Act</a> ;	<p>A consultation notification letter was sent by Special Delivery on 23<sup>rd</sup> September 2024 and via email on 24<sup>th</sup> September 2024 to the Section 42(1)(a) consultees, along with a copy of the Section 48 notice and the newsletter.</p> <p>The Applicant wrote to all Section 42(1)(b) local authorities (as identified in Section 43) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024 and by email on 24<sup>th</sup> September 2024.</p> <p>The Applicant wrote to all Section 42(1)(d) consultees (as identified in Section 44) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024.</p> <p>The letter sent to those consulted under Section 42 set out that the statutory consultation started on 24th September 2024, with the deadline for responding to the consultation being 11:59pm on 29th</p>



Guidance reference	Guidance	Applicant's regard to guidance
		<p>October 2024. As such, the Applicant provided more than the minimum time required for receipt of responses.</p> <p>Details of this can be found in <b>Section 5.4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>. Evidence of the letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>.</p>
Paragraph 006 Reference ID 02-006-20240430	publicise the proposed application in accordance with <a href="#">section 48 of the Planning Act</a> , <a href="#">Regulation 13 of the EIA Regulations 2017</a> and <a href="#">Regulation 4 of the APFP Regulations 2009</a> ;	<p>The Section 48 notice was published in;</p> <ul style="list-style-type: none"> <li>• The Hunts Post on 18<sup>th</sup> September 2024 and 25<sup>th</sup> September 2024;</li> <li>• The Guardian on 24<sup>th</sup> September 2024, and</li> <li>• The London Gazette on 24<sup>th</sup> September 2024.</li> </ul> <p>Evidence of the published notices is provided in <b>Consultation Report Appendix 3-5: Section 48 notice - The Guardian [EN010141/DR/5.2]</b>, <b>Consultation Report Appendix 3-6: Section 47 and 48 notices - The Hunts Post [EN010141/DR/5.2]</b> and <b>Consultation Report Appendix 3-7: Section 48 notice - London Gazette [EN010141/DR/5.2]</b>.</p>
Paragraph 006 Reference ID 02-006-20240430	have regard to relevant responses to publicity and consultation required by <a href="#">section 49 of the Planning Act</a> ;	<b>Chapter 6</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> and <b>Consultation Report Appendix 5 [EN010141/DR/5.2]</b> set out how the Applicant had regard to the consultation responses received as part of the statutory consultation, including where a response has led to a change in the Scheme.
Paragraph 006 Reference ID 02-006-20240430	prepare a consultation report showing how the applicant has met the consultation requirements of <a href="#">sections 42, 47 and 48 of the Planning Act</a> and how the proposed application has been amended to take account of the relevant responses;	<p>The <b>Consultation Report [EN010141/DR/5.1]</b> outlines how the legal requirements of the Planning Act 2008 have been met.</p> <p><b>Chapter 6</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> provides a high-level overview of the responses received to the statutory consultation, along with how feedback was considered and whether it resulted in changes to the design of the Scheme. Additionally, the Applicant has provided detailed comments on how it has had regard to feedback from consultees via <b>Consultation</b></p>

Guidance reference	Guidance	Applicant's regard to guidance
		<b>Report Appendix 5-1: Regard had to Section 42(1)(a) and (1)(b) responses [EN010141/DR/5.2], Consultation Report Appendix 5-2: Regard had to Section 42(1)(d) responses and 47 responses [EN010141/DR/5.2], Consultation Report Appendix 5-3: Regard had to Section 47 responses [EN010141/DR/5.2] and Consultation Report Appendix 5-3: Regard had to non-prescribed consultee responses [EN010141/DR/5.2].</b>
Paragraph 006 Reference ID 02-006-20240430	meet the requirements of <a href="#">section 37 of the Planning Act</a> by submitting this consultation report to the Planning Inspectorate acting on behalf of the Secretary of State with the application for development consent for consideration in the decision whether the application is accepted for examination; and	The Application was submitted to the Planning Inspectorate in September 2025, and included the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 006 Reference ID 02-006-20240430	have regard to this guidance as required by <a href="#">section 50 of the Planning Act</a>	This document outlines how the Applicant has had regard to the Pre-application Guidance.
Paragraph 008 Reference ID 02-008-20240430	The purpose of the Inception Meeting is for the applicant to discuss with the Planning Inspectorate their Programme Document, which sets out the intended programme for the pre-application stage and what work and studies are required for the preparation of an application. This Inception Meeting should include discussion of any anticipated requests for screening or scoping to help inform decisions on the right level of pre-application service to be provided by the Planning Inspectorate.	An Inception Meeting was held on 11 <sup>th</sup> July 2022. This was before the requirement for a Programme Document, although at this meeting, and in subsequent meetings with the Planning Inspectorate the Applicant provided an update on the programme for the project.  Following the requirements for a Programme Document, the Applicant submitted a Programme Document for Scheme to the Planning Inspectorate on via email on 28th October 2024.].
Paragraph 008 Reference ID 02-008-20240430	In most cases applicants will need to engage statutory consultees and others early in the preparation of applications. Separate <a href="#">guidance on cost recovery</a> explains where and how the Planning Inspectorate and some statutory consultees may recover costs for the services they provide in relation to NSIP applications / proposed applications.	The Applicant has engaged with statutory consultees throughout the preparation of the application, this is demonstrated in <b>Section 3.4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .  Further details of the engagement that has been undertaken with technical stakeholders and the associated outcomes are provided in the consultation and engagement sections of <b>ES Vol 1 Chapters 5 to 15 [EN010141/DR/6.1]</b> .

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 008 Reference ID 02-008-20240430	Before commencing statutory consultation under <a href="#">section 42 of the Planning Act</a> , <a href="#">section 46 of the Planning Act</a> requires an applicant to notify the Planning Inspectorate acting on behalf of the Secretary of State of their intention to make an application for development consent, and it must supply information in relation to the proposed application. This will be recorded and published by the Planning Inspectorate on the appropriate project page of the <a href="#">National Infrastructure Planning website</a> .	As outlined in <b>Section 5.8</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> , on 23 <sup>rd</sup> September 2024 the Applicant notified the Planning Inspectorate under Section 46 of the Planning Act 2008 of the statutory consultation by email.  The Planning Inspectorate provided formal acknowledgement of the notification made under Section 46 on 26 <sup>th</sup> September 2024.
Paragraph 009 Reference ID 02-009-20240430	The pre-application process is applicant-led. To deliver a good pre-application process, including effective engagement and a well-prepared application, applicants should put together a Programme Document at the outset of the pre-application stage for submission to the Planning Inspectorate and agreement at the Inception Meeting. The Programme Document is an essential element of the quality standard for applications seeking a <a href="#">fast-track route to consent</a> .  The Programme Document will enable all those engaged in the pre-application process, particularly statutory consultees, to understand the timescales and ensure their contribution is programmed into the pre-application stage at the most effective point. It will also assist the applicant in managing the preparation and subsequent submission of the application documents for consideration by the Planning Inspectorate at the acceptance stage.  Following the Inception Meeting, it is expected that the applicant will host and maintain the agreed Programme Document on its website, and update it as necessary during the pre-application period to publicise completion of significant stages and demonstrate progress in preparation of the application.	The Applicant supplied the Inspectorate with its initial Programme Document via email on 28 <sup>th</sup> October 2024. The guidance requiring the Applicant to provide a programme document came into effect after the inception meeting, therefore explaining the delay.  The document was uploaded to the project website on 28 <sup>th</sup> April 2025 and was highlighted through a new story published on the project website.
Paragraph 010 Reference ID 02-010-20240430	It should set out the timetable and activities necessary for an effective pre-application process including the level of pre-application services from the Planning Inspectorate, and consultation with various parties required under the Planning Act.	The Programme Document for the Scheme was submitted to the Planning Inspectorate on 28 <sup>th</sup> October 2024.

Guidance reference	Guidance	Applicant's regard to guidance
	<p>The Programme Document should include:</p> <ul style="list-style-type: none"> <li>the date the applicant intends to submit their application;</li> <li>a comprehensive timetable of the applicant's pre-application process, the main events with dates and milestones demonstrating how the pre-application process will be completed (using the maximum target of 2 years as a benchmark);</li> <li>the applicant's view on the main issues for resolution and activities they will undertake to address those;</li> <li>the applicant's proposals for engaging with statutory consultees and local authorities during the pre-application period and any intended financial support agreements, such as Planning Performance Agreements (PPAs);</li> <li>the applicant's identification of risks to achievement of the pre-application stage and the process by which these risks are tracked and managed; and</li> <li>cross references to the SoCC required by <a href="#">section 47 of the Planning Act</a>.</li> </ul>	<p>This document was drafted in accordance with this paragraph of the Pre-application guidance.</p>
<p>Paragraph 011 Reference ID 02-011-20240430</p>	<p>Although it is not mandatory, an applicant can request the Planning Inspectorate on behalf of the Secretary of State to provide an opinion on the scope of the Environmental Statement (the 'scoping opinion') i.e. what the assessment does, and does not, need to consider. Such a request must be accompanied by the information provided by the applicant required by <a href="#">Regulation 10 of the EIA Regulations 2017</a> in order that the Planning Inspectorate can make a fully informed view and respond within 42 days.</p> <p>The scoping opinion will take into account advice received from statutory consultees and other relevant organisations following the required consultation over a 28-day period within the 42 days. Any potential for transboundary effects must also be considered. The scoping opinion will confirm the programme of data collection and studies to be undertaken by the applicant, and contain</p>	<p>The Applicant submitted a Scoping Report, ES Vol 2: Technical Appendices Appendix 4-1: EIA Scoping Report [EN010141/DR/6.2] to the Planning Inspectorate on 30 October 2023, supporting their request for a Scoping Opinion under Regulation 10 of the EIA Regulations. Under Regulation 8 of the EIA Regulations, a cover letter was also submitted as a notification, to accompany the Scoping Report, which highlighted that the Applicant proposes to provide an Environmental Statement with an application for an order granting development consent. A Scoping Opinion was issued by the Planning Inspectorate on 8<sup>th</sup> December 2023, <b>ES Vol 2 Appendix 4-2: EIA Scoping Opinion</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
	recommendations where there is no need to explore certain topics (based on the information submitted at that time).	
Paragraph 011 Reference ID 02-011-20240430	<p>Applicants should adopt a proportionate approach in the type and volume of information they request from statutory bodies during the preparation of their Environmental Statements to meet the requirements of <a href="#">Regulations 5, 14</a> and <a href="#">Schedule 4 of the EIA Regulations 2017</a>.</p> <p>At the same time, applicants also have to consider the level of detailed information which is actually available to enable the environmental effects to be assessed and included in the Environmental Statement. Applicants often naturally seek flexibility and may choose to describe the proposal in terms of the maximum parameters of the proposal and the establishment of a worst-case scenario for environmental assessment. The 'Rochdale Envelope' is now a well-established part of the approach to striking this balance. Applicants should always provide sufficiently robust and detailed data of the effects of the proposed development on the environment, so that these can be considered throughout the NSIP consenting process. Taking the Rochdale Envelope approach increases the spatial extent of the project, and will therefore increase the amount of evidence required to be submitted in support of the application. It is not an excuse to submit applications with insufficient supporting survey material. This can lead to an inadequate Environmental Statement and risk non acceptance of the application for examination.</p>	<p>The Applicant has adopted a proportionate approach in the type and volume of information requested from statutory bodies during the preparation of the Environmental Statement.</p> <p>The Applicant has used the Rochdale Envelope approach within the Application, adopting a worst-case scenario in the Environmental Impact Assessment in order to retain a degree of flexibility within the design. This has enabled a robust assessment while maintaining a degree of flexibility in the design. More information is available in <b>ES Vol 1 Chapter 2: The Scheme [EN010141/DR/6.1]</b>.</p>
Paragraph 011 Reference ID 02-011-20240430	<p><a href="#">Regulation 14 of the EIA Regulations 2017</a> requires that an Environmental Statement includes a description of the reasonable alternatives studied by the applicant, and an indication of the main reasons for the option chosen, including a comparison of the effects of the development on the environment (<a href="#">Schedule 4 of the EIA Regulations 2017</a>). Inadequate consideration of alternatives has been used as a vehicle for legal challenge. Alternatives can range from matters such as micro-siting (where the development is located</p>	<p>The Applicant has provided a description of the reasonable alternatives considered and their comparable effects on the environment, as well as the reasons behind the chosen option. This is presented in <b>ES Vol 1 Chapter 3: Alternatives and Design Evolution [EN010141/DR/6.1]</b>, <b>ES Vol 2 Appendix 3-1 Site Identification Report [EN010141/DR/6.2]</b>, <b>ES Vol 2 Appendix 3-2 Land Identification Report [EN010141/DR/6.2]</b>, <b>ES Vol 2 Appendix 3-3 Land Identification Report: Addendum</b></p>

Guidance reference	Guidance	Applicant's regard to guidance
	within the site) and alternative access points, to the size and scale of development, technological and design options. Applicants are advised to fully document all optioneering exercises and decision-making on alternatives from the inception of their projects in their application, and reference this appropriately in their Environmental Statement.	<b>[EN010141/DR/6.2] and in ES Vol 2 Appendix 3-4 Land Identification Report: Further Addendum. [EN010141/DR/6.2]</b>
Paragraph 011 Reference ID 02-011-20240430	Regulations 11 to 13 of the <a href="#">EIA Regulations 2017</a> set out the pre-application publicity and consultation requirements for the EIA process pursuant to <a href="#">sections 47</a> and <a href="#">48 of the Planning Act</a> .	<p>Section 47 and Section 48 notices were created in accordance with Regulations 11 to 13 of the EIA Regulations 2017.</p> <p>The notices were published on the Applicant's website and in;</p> <ul style="list-style-type: none"> <li>• The Hunts Post on 18<sup>th</sup> September (Section 47 and Section 48);</li> <li>• The Hunts Post on 25<sup>th</sup> September (Section 48);</li> <li>• The Guardian on 24<sup>th</sup> September (Section 48); and</li> <li>• The London Gazette on 24<sup>th</sup> September (Section 48).</li> </ul> <p>A copy of the Section 47 notice can be found in <b>Consultation Report Appendix 3-8: Section 47 notice [EN010141/DR/5.2]</b> and the Section 48 notice can be found in <b>Consultation Report Appendix 3-4: Section 48 notice [EN010141/DR/5.2]</b> Detail of activity undertaken pursuant to Section 47 and Section 48 is included in <b>Section 5.9</b> and <b>Section 5.10 of the Consultation Report [EN010141/DR/5.1]</b>.</p>
Paragraph 011 Reference ID 02-011-20240430	Applicants need to give consultation bodies sufficient information about the characteristics of the proposed NSIP in order to enable them to respond in an effective and timely way about the likely environmental effects and avoid unnecessary delay. Applicants should discuss providing digital material where possible with relevant statutory consultees.	<p>A Preliminary Environmental Information Report was produced for the Statutory Consultation alongside a Non-technical summary.</p> <p>The Preliminary Environmental Information Report and non-technical summary were made available on the consultation website from 24<sup>th</sup> September 2024 as part of the statutory consultation. Screenshots of the consultation website from statutory consultation can be found in <b>Consultation Report Appendix 4-19: Screenshots of project website during statutory consultation [EN010141/DR/5.2]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 011 Reference ID 02-011-20240430	<a href="#">Part 6 of the Levelling-up and Regeneration Act 2023</a> contains provisions to replace the current Strategic Environmental Assessment (SEA) and EIA requirements with a new regime of Environmental Outcome Reports (EOR). Until the EOR regulations are in place to commence this new regime, the existing arrangements for environmental assessment remain in place and this guidance should be followed accordingly.	The Applicant notes this and has followed the EIA requirements.
Paragraph 012 Reference ID 02-012-20240430	<p>Where an NSIP is determined to be EIA development in line with <a href="#">Regulation 8 of the EIA Regulations 2017</a> the applicant is required by <a href="#">Regulation 12 of the EIA Regulations 2017</a> to publish sufficient Preliminary Environmental Information (PEI) to enable consultees to develop an informed view of the likely significant environmental effects of the proposed development. The information required will be different for different types and sizes of projects and it may also vary depending on the audience of a particular consultation.</p> <p>Applicants are advised to consult any relevant existing environmental assessments or survey information, in the first instance to get an idea of what environmental effects could arise. The key issue is that the information presented must be clear to all consultees, even if it is of specialised technical nature. As required by <a href="#">Schedule 4 of the EIA Regulations 2017</a> any difficulties or areas of uncertainty such as in data collection, forecasting methods or scientific knowledge must be identified and acknowledged.</p> <p>There is no prescribed format for PEI. However, depending on the availability of material, applicants are encouraged to prepare this as an early draft of the Environmental Statement and include it as such as part of the statutory consultation under <a href="#">sections 42, 47 and 48</a> of the Planning Act. If applicants decide to take a different approach, they should be clear with consultees about the status of the PEI.</p>	<p>A Preliminary Environmental Information Report was produced for the Statutory Consultation and a non-technical summary. The document was available on the Applicant's project website and at consultation events during the statutory consultation.</p> <p>The Preliminary Environmental Information Report and non-technical summary were both made available on the consultation website from 24<sup>th</sup> September 2024 as part of the statutory consultation. Screenshots of the consultation website can be found in <b>Consultation Report Appendix 4-19: Screenshots of project website during statutory consultation [EN010141/DR/5.2]</b>.</p> <p>A hard copy of the Preliminary Environmental Information Report and the non-technical summary was made available for viewing at all of the consultation events.</p> <p>Detailed information about the availability of the Preliminary Environmental Information Report and non-technical summary is included in <b>Section 5.10</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>
Paragraph 012 Reference ID 02-012-20240430	Applicants will need to maintain close dialogue with statutory consultees throughout the pre-application period. The provision of PEI can help statutory consultees to understand the environmental effects of the development and may assist in the identification and	<b>Chapter 3</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> outlines how statutory consultees have been engaged.

Guidance reference	Guidance	Applicant's regard to guidance
	addressing of potential issues at an early stage in the pre-application process.	<p>In addition, each of <b>ES Vol 1 Chapters 5 to 15 [EN010141/DR/6.1]</b> provide a summary of any stakeholder engagement activities undertaken by the Applicant in relation to the respective environmental factors separately from the Environmental Impact Assessment (EIA) scoping, non-statutory consultation, statutory consultation and targeted consultation processes, including details of the matters raised, how such matters have been addressed, and where they have been addressed within the DCO Application documentation.</p> <p>The Preliminary Environmental Information Report was developed to provide detailed preliminary environmental information regarding the Scheme, while a non-technical summary was developed to provide an accessible version of this information for consultation. Detailed information about the availability of the Preliminary Environmental Information Report and non-technical summary is included in Section 5.10 of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p> <p>As part of the DCO application, the Applicant has also submitted a <b>Potential Main Issues for the Examination [EN010141/DR/7.22]</b> document.</p>
Paragraph 013 Reference ID 02-013-20240430	The Habitats Regulations provide for the designation of sites for the protection of certain species and habitats. When considering whether a proposed NSIP has the potential to significantly affect the integrity of such sites, the applicant must provide a report as required by <a href="#">Regulation 5(2)(g) of the APFP Regulations 2009</a> . This must include the site(s) that may be affected, together with sufficient information to enable the relevant Secretary of State, as decision maker, to conclude whether an appropriate assessment is required under the Habitats Regulations, and, if so, to undertake such an assessment. Further relevant information can be found in the <a href="#">Planning Inspectorate's advice</a> and the <a href="#">Department for Environment, Food &amp; Rural Affairs guidance on Habitats Regulations Assessment (HRA)</a> .	A Stage 1 Screening of the Habitats Regulations Assessment process was undertaken and considered the one European site identified within 10km of the Site (Eversden and Wimpole Woods SAC), to determine the potential for likely significant effects. The screening assessment concluded that the potential for likely significant effects had been screened out, meaning that an Appropriate Assessment is not required. More information is available in <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> .
Paragraph 013 Reference ID 02-013-20240430	As NPSs reiterate, it is the applicant's responsibility to provide all the material and evidence as part of the application to enable the Secretary of State to carry out their statutory obligations. Where the applicant is of the view that there are no likely significant effects, this	The Stage 1 Screening of the Habitats Regulations Assessment process concluded that the potential for likely significant effects had been screened out, meaning that an Appropriate Assessment is not



Guidance reference	Guidance	Applicant's regard to guidance
	is best presented in the form of a report which contains all the material necessary to justify the conclusions reached, and evidence of the extent of agreement with statutory nature conservation bodies (SNCBs). One way of doing this is for an applicant to agree an evidence plan with the SNCBs to support a HRA where there are extensive or complex issues.	required. More information is available in <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> .
Paragraph 013 Reference ID 02-013-20240430	The Planning Inspectorate can also comment on the applicant's draft HRA report if agreed as part of the pre-application service in advance of formal submission of the application. Applicants must therefore build in sufficient time during the pre-application stage to consult with the SNCBs and, if they consider it appropriate, with any relevant non-statutory nature conservation bodies, in order to gather the necessary evidence and material.	The Stage 1 Screening of the Habitats Regulations Assessment process concluded that the potential for likely significant effects had been screened out, meaning that an Appropriate Assessment is not required. As such, the Applicant did not prepare an Appropriate Assessment or share this in draft prior to DCO submission. More information is available in <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> .
Paragraph 013 Reference ID 02-013-20240430	Where any potential for likely significant effects cannot be ruled out and the applicant needs to move to the subsequent stages of the HRA process, it is for the applicant to include as part of the HRA documentation included with the application: <ul style="list-style-type: none"> <li>• a shadow appropriate assessment;</li> <li>• where necessary a draft of the applicant's case for derogations involving imperative reasons of overriding public interest (IROPI) and appropriate compensatory measures, together with evidence of landowner agreements where necessary.</li> </ul> Full HRA material must be provided as part of the application. This guidance requires the Planning Inspectorate not to accept applications for examination which are incomplete or not comprehensive in this regard. It is also expected that additional material should not be submitted by the applicant for validation during the examination stage. If such additional material is needed it will be requested by the Examining Authority or raised by SNCBs in their representations.	The Stage 1 Screening of the Habitats Regulations Assessment process concluded that the potential for likely significant effects had been screened out, meaning that an Appropriate Assessment is not required. As such, the Applicant did not prepare an Appropriate Assessment. More information is available in <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> .
Paragraph 013 Reference ID 02-013-20240430	By placing the responsibility of compiling all the necessary HRA material on the applicant, coupled with agreed SoCG with SNCBs submitted with the application wherever possible, the expectation is that the range of disputed factual material should be reduced. In turn, the need for the Planning Inspectorate to produce its own	The Stage 1 Screening of the Habitats Regulations Assessment process concluded that the potential for likely significant effects had been screened out, meaning that an Appropriate Assessment is not required. As such, the Applicant did not prepare an Appropriate

Guidance reference	Guidance	Applicant's regard to guidance
	document, the Report on the Implications for European Sites (RIES), for the Examining Authority to take into account during the examination and as part of the recommendation should also be decreased. This will contribute to improving the efficiency of the examination and reducing the burden placed on the Secretary of State as competent authority during the decision stage of the NSIP consenting process.	Assessment. More information is available in <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> .  The Applicant is not submitting a Principal Areas of Disagreement Summary Statement (PADSS) or any Statement of Common Grounds (SoCG) with the DCO Application. However, it intends on providing SoCGs during the examination stage with relevant stakeholders. A document outlining identified potential main issues for examination ( <b>Potential Main Issues for the Examination [EN010141/DR/7.22]</b> ) is submitted as part of the DCO Application.
Paragraph 013 Reference ID 02-013-20240430	<a href="#">Regulation 26 of the EIA Regulations 2017</a> requires that where an EIA and HRA are required, the processes should be co-ordinated. The HRA process should form part of, and reference, the work carried out for the broader EIA process, particularly with respect to consideration of alternatives, cumulative effects and mitigation options. However, care should be taken to ensure that the information relevant to the HRA and its conclusions are clearly discernible.	There has been regular communication and collaboration between the teams producing <b>ES Vol 1 Chapter 7: Ecology and Nature Conservation [EN010141/DR/6.1]</b> , <b>Information to Inform Habitats Regulations Assessment [EN010141/DR/5.7]</b> and the <b>outline Landscape and Ecological Management Plan [EN010141/DR/7.7]</b> .
Paragraph 014 Reference ID 02-014-20240430	Applicants should involve a diverse range of people including where appropriate, planners, environmental specialists, landscape architects, architects, engineers and community groups in informing the project vision, narrative, design principles, and project design process to support delivery of the outcomes of the project. Applicants should explain how the design responds to the National Infrastructure Commission (NIC) design principles for national infrastructure: climate, people, places and value.	The wider Project team, including planners, environmental specialists and engineers have been involved in the project design process.  The <b>Design Approach Document [EN010141/DR/5.6]</b> sets out how the design responds to the NIC design principles.
Paragraph 015 Reference ID 02-015-20240430	Applicants do now routinely set out in brief the main alternatives to their preferred scheme which were considered early during the pre-application stage and the consultees' responses to them. Applicants are encouraged to do so as this can demonstrate how project designs have been refined to take into account environmental, socio-economic and community effects. Any such consideration of alternatives should be submitted as part of the application, perhaps as part of the Planning Statement. All this will help to reinforce the applicant's case for promoting the NSIP in the particular form of the submitted application.	The Applicant has provided a description of the reasonable alternatives considered and the reasons behind the chosen option in <b>ES Vol 1 Chapter 3: Alternatives and Design Evolution [EN010141/DR/6.1]</b> , <b>ES Vol 2 Appendix 3-1 Site Identification Report [EN010141/DR/6.2]</b> , <b>ES Vol 2 Appendix 3-2 Land Identification Report [EN010141/DR/6.2]</b> , <b>ES Vol 2 Appendix 3-3 Land Identification Report: Addendum [EN010141/DR/6.2]</b> and in <b>ES Vol 2 Appendix 3-4 Land Identification Report: Further Addendum. [EN010141/DR/6.2.]</b>

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 015 Reference ID 02-015-20240430	Very exceptionally, there may be some real alternatives to elements of a proposed NSIP which the applicant chooses to put forward for examination on the basis that the Examining Authority could be able to recommend a preference to the Secretary of State. There may also be circumstances where an element of a proposed NSIP is so exceptional it is in the applicant's interest to provide a more particular consideration of alternatives to help demonstrate their eventual preference in the light of the policy requirements of the relevant NPS. In such cases, the applicant will need to ensure that sufficient technical material is included as part of the application to enable it to be properly investigated during the examination without leading to substantial delays.	Not relevant for the Scheme.
Paragraph 016 Reference ID 02-016-20240430	Applicants will often need to compile detailed records of land interests as part of the preparation of an NSIP application. These will be principally for the assembly of the Book of Reference required by <a href="#">Regulations 5</a> and <a href="#">7</a> of the APFP Regulations 2009 where applicable, including where compulsory acquisition of land is proposed, or where applicants require rights to use land (for example, to undertake surveys) or carry out protective works to buildings.	A <b>Book of Reference [EN010141/DR/4.3]</b> has been submitted as part of the DCO application.
Paragraph 016 Reference ID 02-016-20240430	The strong expectation is that applicants of proposed NSIPs will act reasonably in engaging with landowners, and likewise landowners will cooperate with applicants to provide them with the information that they need and facilitate access to their land as required, even if they object to the principle of the development. Such cooperation does not preclude, remove or reduce any of the landowner's rights to participate in the consultation on an application or make representations about it during the examination.	<p>Throughout the pre-application process, the Applicant maintained close communication with landowners. The Applicant engaged with landowners across the cable route corridor to try and reach voluntary agreements, discuss any matters of concern, provide project updates and arrange project meetings.</p> <p>Engagement was carried out through Land Interest Questionnaires, site visits, erection and monitoring of site notices, land interest follow-ups via phone or email, consultation invitations and confirmation schedules.</p> <p>Throughout the consultation process, the Applicant ensured landowners were informed of any ongoing environmental assessments and surveys. More information about the Applicant's engagement with landowners can be found in the <b>Land and Rights Negotiations Tracker [EN010141/DR/4.4]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 016 Reference ID 02-016-20240430	These <a href="#">Planning Act</a> provisions help to minimise delays resulting from a lack of co-operation from people with interests in land. They are a back stop however, and the procedures involved are detailed and relatively time consuming. If an applicant does find themselves in this position, it is important to recognise this early in the process to lose as little time as possible during the pre-application period. Equally, there is an expectation that the Planning Inspectorate has procedures in place to handle requests from applicants in as efficient and timely a manner as possible. The Planning Act does not specify statutory timeframes for determining requests from applicants for authorisation. The complexity of circumstances varies of course, but the expectation is that the Planning Inspectorate should be able to process a straightforward request under either <a href="#">section 52</a> or <a href="#">section 53</a> of the Planning Act in no more than 3 months.	The Applicant does not consider that there is an issue of lack of co-operation with those with land interests.
Paragraph 017 Reference ID 02-017-20240430	One of the main advantages of the Planning Act is the ability to embrace several non-planning consents within the Development Consent Order (DCO). This enables a decision to be implemented as quickly as possible avoiding the need for a substantial volume of post-DCO consents, permits and licences to be obtained. However, a consent or authorisation listed under <a href="#">section 150 of the Planning Act</a> can only be included in a DCO if the relevant body responsible for granting it has agreed, and such consent or authorisation is prescribed in the <a href="#">Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015</a> (as amended) ("the IPMPP Regulations 2015"). The experience from those DCOs granted to date suggests that rather less use has been made of the provision in <a href="#">section 150 of the Planning Act</a> than had been expected, with several statutory bodies preferring to continue to retain these decisions to themselves subsequent to the making of the DCO. Whilst this can be complex to organise, the example of the Marine Management Organisation in handling deemed marine licences under <a href="#">section 149A of the Planning Act</a> within the body of DCOs shows that this should not be an impediment. The presumption should be therefore that where an applicant proposes a provision within their DCO to remove a requirement for a	Where possible, the Applicant is seeking the disapplication of legislation with the relevant bodies, as required under section 150 of the Planning Act. For example, the Applicant will continue to consult with the Environment Agency regarding the disapplication of Schedule 25 of the Water Resources Act 1991 and Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2016 subject to the agreement and inclusion of suitable Protective Provisions within the DCO and to the provision of drawings of any new structures and a basic method statement for all major works, prior to or during the Examination.

Guidance reference	Guidance	Applicant's regard to guidance
	prescribed non-planning consent to be granted by the relevant body, the body that would normally be responsible for granting this consent is expected to make every effort to agree to the proposal. Such a body should only object to the inclusion of such provision with good reason, and after careful consideration of reasonable alternatives. It is therefore essential that such bodies are consulted at an early stage, and that applicants give thorough and early consideration to this aspect of pre-application preparation.	
Paragraph 017 Reference ID 02-017-20240430	Some permits regularly required to implement DCOs lie outside the provisions of <a href="#">section 150 of the Planning Act</a> , for example an environmental permit to operate a particular development issued by the Environment Agency. In this case, an applicant should confirm if an environmental permit is required for the proposed project at an early stage in the preparation of an application. Further guidance is provided by the Environment Agency ( <a href="#">Check if you need an environmental permit</a> and <a href="#">guidelines for development requiring planning permission and environmental permits</a> ).	The <b>Other Consents and Licences Statement [EN010141/DR/5.5]</b> outline the other consents and licences that are relevant to the Scheme and states which ones the Applicant has sought to disapply.
Paragraph 018 Reference ID 02-018-20240430	<a href="#">Section 149A of the Planning Act</a> provides that a DCO may include a marine licence deemed to have been issued under <a href="#">Part 4 of the Marine and Coastal Access Act 2009</a> . Such marine licences are issued by the Marine Management Organisation (MMO), and where an applicant intends to seek such a licence as part of the DCO it is essential that the MMO is consulted at the earliest opportunity to agree the content of the deemed marine licence (DML) and the range of conditions which will be applied. The MMO is responsible for enforcing these conditions, post-consent monitoring, and varying, suspending, or revoking any DML(s) included as part of a made DCO.	Not relevant for the Scheme.
Paragraph 020 Reference ID 02-020-20240430	The pre-application consultation undertaken should be proportionate to the scale and nature of the project and its effects. A 'one-size-fits-all' approach is not appropriate. For a straightforward and uncontroversial application, an applicant may choose to discharge the obligations of sections <a href="#">42</a> , <a href="#">47</a> and <a href="#">48</a> of the Planning Act concurrently in a single round of consultation, or in separate stages. For more complex proposals, an applicant may choose to conduct a non-statutory round of consultation (for example considering options) before undertaking a statutory round of consultation, or they may choose to run a multi-stage statutory consultation process.	The Applicant planned for a two-stage consultation. The non-statutory consultation introduced the plans to the community and stakeholders, whilst the statutory consultation provided more detailed information on the design and environmental assessments. The changes identified following the statutory consultation did not require further consultation with the community as these changes led to a reduction in the Order Limits. The exception to this was a change in construction access, and the Applicant engaged with the affected landowner directed.

Guidance reference	Guidance	Applicant's regard to guidance
		More detail on the stages of consultation can be found in the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 020 Reference ID 02-020-20240430	What consultation is planned and when will form a key part of the applicant's overall programme for completing the pre-application stage. It will need to be included in the Programme Document supplied by the applicant to the Planning Inspectorate for the Inception Meeting. Some applicants may have their own distinct approaches to consultation, perhaps drawing on their own or relevant sector experience, for example if there are industry protocols that can be adapted. Larger, more complex applications are likely to warrant going beyond the statutory 28-day minimum timescales for consultation laid down in the Planning Act to ensure enough time for consultees to understand project proposals and formulate a response.	<p>The latest Pre-application Guidance, including the need for a Programme Document, was published after the Inception Meeting. In the Inception Meeting and subsequent meetings with the Planning Inspectorate, the Applicant has provided an update on the approach and timeline for engagement and consultation.</p> <p>A Programme Document was submitted to the Planning Inspectorate via email on 28<sup>th</sup> October 2024. The document was uploaded to the project website on 28<sup>th</sup> April 2025 and was highlighted through a new story published on the project website.</p> <p>The Applicant ran a 5-week non-statutory consultation and a 5-week statutory consultation. More detail on the stages of consultation can be found in the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>
Paragraph 020 Reference ID 02-020-20240430	The timing and duration of consultation will be likely to vary from project to project, depending on size and complexity, and the range and scale of the effects. Applicants should therefore set consultation deadlines that are realistic and proportionate to the proposed project. Equally, it is also important that consultees do not withhold information that might affect a project, and that they respond in good time to applicants. Where responses are not received by the deadline, the applicant is not obliged to take those responses into account.	The Applicant ran a 5-week non-statutory consultation and a 5-week statutory consultation. More detail on the stages of consultation can be found in the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 020 Reference ID 02-020-20240430	Once applicants have completed the consultation process set out in their SoCC, where a proposed application is amended in the light of responses to consultation then, unless those amendments materially and substantially change the proposed application or materially changes its effects as a whole, the amendments themselves should not trigger a need for further consultation. The amendments can be reported as part of the consultation report submitted with the application. Only where the project taken as a whole changes very significantly, and to such a large degree that what is being taken forward is fundamentally different from what was previously consulted on, should re-consultation on the proposed application as a whole be considered.	<p>The Applicant planned for a two-stage consultation. The non-statutory consultation introduced the plans to the community and stakeholders, whilst the statutory consultation provided more detailed information on the design and environmental assessments. The changes identified following the statutory consultation did not require further consultation with the community as these changes led to a reduction in the Order Limits. The exception to this was a change in construction access, and the Applicant engaged with the affected landowner directed.</p> <p>More detail on the stages of consultation can be found in the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
	<p>In understanding whether there has been a material and substantial change, applicants should take into account the following guiding factors:</p> <ul style="list-style-type: none"> <li>• the degree of change as compared to the proposals previously consulted upon as a whole;</li> <li>• the number of materially worse environmental effects as compared to what has been the subject of previous consultations; and</li> <li>• the level of public interest, and the likelihood that such interest would merit further consideration in the context of that change.</li> </ul> <p>For any material change to a part of the proposed application where the project as a whole is not fundamentally changed, for example in the case of linear aspects where new information leads to a new alignment for a particular section of the proposal, a bespoke and targeted approach to further consultation can be adopted, which can address the specific consultation obligations arising proportionately. Targeted consultation can be statutory or non-statutory or a combination of the two depending on whether new persons needing to be consulted under <a href="#">section 42 of the Planning Act</a> have been identified, but such targeted consultation will not require the production of PEI provided proportionate and appropriate information on environmental implications of any changes, where necessary, is provided.</p>	
<p>Paragraph 021 Reference ID 02-021-20240430</p>	<p><a href="#">Sections 42 to 44 of the Planning Act</a>, <a href="#">Regulation 3</a> and <a href="#">Schedule 1 to the APFP Regulations 2009</a> set out details of who must be consulted, including statutory bodies, the Marine Management Organisation <a href="#">where appropriate</a>, local authorities, and persons having an interest in the land to be developed. <a href="#">Section 47 of the Planning Act</a> sets out the applicant's statutory duty to consult local communities. In addition, applicants will want to consider the issues that may need to be addressed ahead of submission and may also wish to seek the views of other people who are not statutory consultees, but who may be significantly affected by the project.</p>	<p>Details of who was consulted as part of the statutory consultation are included in <b>Chapter 5</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p> <p><b>Chapter 6</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> and <b>Consultation Report Appendix 5 [EN010141/DR/5.2]</b> explains how regard has been had to the issues raised in the statutory consultation.</p>



Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 021 Reference ID 02-021-20240430	<a href="#">The Infrastructure Planning (Miscellaneous Provisions) Regulations 2024</a> amended the <a href="#">APFP Regulations 2009</a> by substituting a new table of persons prescribed for the purpose of <a href="#">section 42(1)(a) of the Planning Act</a> (duty to consult) and also <a href="#">section 56(2) of the Planning Act</a> (notifying persons of an accepted applications) which is covered in the <a href="#">acceptance guidance</a> . It is the applicant's responsibility to ensure all relevant prescribed consultees are consulted about a proposed application.	Persons prescribed under section 42(1)(a) are listed in column 1 of the Schedule to the "Miscellaneous Provisions Regulations 2024". These 2024 Regulations came into force on 30th April 2024 replacing the table in Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("2009 Regulations"), with an updated table of prescribed consultees. The statutory consultation took place after 30 April 2024, therefore the Miscellaneous Provisions Regulations 2024 was used as the prescribed persons list.  <b>Section 5.4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> outlines the approach to identifying s42(a) consultees and when they were consulted.
Paragraph 021 Reference ID 02-021-20240430	While the list of prescribed bodies who must be consulted was updated in April 2024, from time to time a body may cease to exist but may still be listed as a statutory consultee in the Regulations pending their updating. In such situations applicants should identify any successor body and consult with them in the same manner as they would have with the original body. Where there is no obvious successor, applicants should seek the advice of the Planning Inspectorate, who may be able to identify an appropriate alternative consultee. Whether or not an alternative is identified, the consultation report should briefly note any cases where compliance with statutory requirements was impossible and the reasons why.	The Applicant consulted all prescribed bodies. <b>Section 5.4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> outlines the approach to identifying s42(a) consultees and when they were consulted.
Paragraph 022 Reference ID 02-022-20240430	It is good practice for applicants to work with local stakeholders in the formative stages of the project, through early engagement. This can help inform the Programme Document that they later take to the Inception Meeting with the Planning Inspectorate. Early engagement with local authorities, parish and town councils can help applicants to ensure they find the best approach to engage the relevant communities in the most effective and proportionate way.	The Applicant has taken a proactive approach to engagement with the local authority and parish councils. Briefings to key councils and parish councils were made before and during the non-statutory and statutory consultations. All details are included in the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 022 Reference ID 02-022-20240430	Under <a href="#">section 47 of the Planning Act</a> , applicants are required to produce a SoCC, setting out how they intend to consult the local community on the proposed application. Applicants should consider how they can engage communities in a way that supports them to understand the necessary issues at an appropriate stage to support	The Applicant developed and consulted the relevant local authorities on the SoCC as outlined in <b>Chapter 4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .  The SoCC includes details of how the Applicant planned to consult, the methods of collecting feedback and how it will be publicised



Guidance reference	Guidance	Applicant's regard to guidance
	preparation of their application, and how they will show how they have responded to their issues of concern.	
Paragraph 022 Reference ID 02-022-20240430	Local communities may need support to help them to input to the NSIP consenting process. Independent community liaison chairs or forums can be used to provide support to local communities and non-statutory consultees to enable them to provide an effective input to the pre-application process. Applicants will want to consider whether these should be used, not least to assist an applicant's own assessment of potential examination issues in preparing their Programme Document and SoCC.	The Applicant has not established a community liaison group or forum. Instead, it has engaged with local communities as part of the non-statutory and statutory consultation, including through mailings, in-person events and briefings.
Paragraph 023 Reference ID 02-023-20240430	<p>Applicants must:</p> <ul style="list-style-type: none"> <li>consult the prescribed bodies as appropriate under <a href="#">Regulation 3</a> and <a href="#">Schedule 1 to the APFP Regulations 2009</a>, as well as the Marine Management Organisation in certain circumstances, under <a href="#">section 42 of the Planning Act</a>, giving the consultees at least 28 days to respond;</li> <li>publicise their proposed application under <a href="#">section 48 of the Planning Act</a>, and <a href="#">Regulation 4 of the APFP Regulations 2009</a> sets out the detail of what this publicity must entail; and</li> <li>by <a href="#">section 49 of the Planning Act</a> have regard to any relevant consultation responses from either statutory consultees under <a href="#">section 42 of the Planning Act</a>, local communities under <a href="#">section 47 of the Planning Act</a>, or wider publicity under <a href="#">section 48 of the Planning Act</a>.</li> </ul>	<p>The Applicant has met all requirements of the Planning Act and the APFP Regulations 2009 as outlined in the <b>Consultation Report [EN010157/APP/5.1]</b>.</p> <p>The Applicant wrote to all Section 42(1)(a) consultees to invite them to participate in the statutory consultation, along with a copy of the Section 48 notice and the newsletter.</p> <p>This notification letter was sent by post on 20<sup>th</sup> September 2024 and by email on 24<sup>th</sup> September 2024. The consultation notification letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>, whilst a full list of the bodies consulted under Section 42(1)(a) and the dates they were notified can be found in <b>Consultation Report Appendix 4-1: List of consultees under section 42 (a-b) [EN010141/DR/5.2]</b>. As the Scheme is inland, the Marine Management Organisation was not consulted.</p> <p>The Applicant wrote to all Section 42(1)(b) local authorities (as identified in Section 43) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024 and by email on 24<sup>th</sup> September 2024. The consultation notification letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>, whilst a full list of the bodies consulted under Section 42(1)(b) can be found in Table 12 of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
		<p>As the Scheme is not in the Greater London area, the Greater London Authority was not consulted. The Applicant wrote to all Section 42(1)(d) consultees (as identified in Section 44) to invite them to participate in the statutory consultation. This notification letter was sent by post on 20<sup>th</sup> September 2024. A total of 98 persons were identified under Categories 1 and 2, whilst no persons were identified under Category 3. The consultation notification letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>, whilst a full list of the persons consulted under Section 42(1)(d) can be found in the <b>Book of Reference [EN010141/DR/4.3]</b>.</p> <p>The letter sent to those consulted under Section 42 set out that the statutory consultation started on 24th September 2024, with the deadline for responding to the consultation being 11:59pm on 29th October 2024. As such, the Applicant provided more than the minimum time required for receipt of responses.</p> <p><b>Chapter 6</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> and <b>Consultation Report Appendix 5 [EN010141/DR/5.2]</b> set out how the Applicant had regard to the consultation responses received as part of the statutory consultation, including where a response has led to a change in the Scheme.</p> <p>Details of the above can be found in <b>Section 5.4</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>. Evidence of the letter can be found in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>.</p> <p>The Section 48 notice was published in;</p> <ul style="list-style-type: none"> <li>• The Hunts Post on 18th September 2024 and 25th September 2024;</li> <li>• The Guardian on 24th September 2024, and</li> <li>• The London Gazette on 24th September 2024.</li> </ul> <p>Evidence of the published notices is provided in <b>Consultation Report Appendix 3-5: Section 48 notice - The Guardian [EN010141/DR/5.2]</b>, <b>Consultation Report Appendix 3-6: Section 47 and 48 notices - The Hunts Post [EN010141/DR/5.2]</b> and</p>

Guidance reference	Guidance	Applicant's regard to guidance
		<b>Consultation Report Appendix 3-7: Section 48 notice - London Gazette [EN010141/DR/5.2].</b>
Paragraph 023 Reference ID 02-023-20240430	Applicants will often need detailed technical input from statutory consultees as expert bodies to assist with identifying and mitigating the impacts of projects, and other important matters. In many cases applicants will need to engage statutory consultees and others before the Inception Meeting with the Planning Inspectorate. Some statutory consultees have <a href="#">cost recovery arrangements in place for the advice they provide</a> . The ability for statutory consultees to respond effectively to pre-application requests for advice means they have the information they need from applicants to do so. It is essential therefore that applicants arrange early engagement with statutory consultees to avoid unnecessary delays and the costs of having to make changes at later stages of the consenting process. It is equally important that statutory consultees respond to a request for technical input in a timely manner. This requires statutory consultees to allocate the necessary resource and work with applicants to support them in developing their application, taking account of the issues they raise.	<p>The Applicant has proactively engaged with statutory bodies, especially as part of the EIA process, as outlined in <b>Chapter 3</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p> <p>Since their introduction, the Applicant has had cost recovery agreements in place with Historic England and National Highway. Prior to this, a Discretionary Advice Service (DAS) with both agencies was in place. These arrangements have enabled ongoing engagement throughout the pre-application process.</p> <p>A Planning Performance Agreement (PPA) with the Local Planning Authority was also agreed in the pre-application process to enable the LPA officers (and any external consultant support) to engage in the process, provide advice and responses to the consultation.</p>
Paragraph 024 Reference ID 02-024-20240430	Where an applicant proposes to compulsorily acquire an interest or take temporary possession of land it does not own in order to implement a proposed NSIP, under <a href="#">section 42</a> of the Planning Act they must identify and consult people, including those who own, occupy or have another interest in the land in question. It is the applicant's responsibility to demonstrate at submission of the application to the Planning Inspectorate that due diligence has been undertaken in identifying all land interests. Applicants must ensure that the Book of Reference (which records and categorises those land interests) is sufficiently up to date at the time of submission (acknowledging the timescales for preparing and updating it) and fully meets the requirements of <a href="#">Regulations 5</a> and <a href="#">7 of the APFP Regulations 2009</a> .	<p><b>Section 5.7</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> outlines the method for identifying by which the Applicant made diligent inquiry to identify and consult persons with an interest in lands impacted by the Scheme and when they were consulted.</p> <p>The full methodology is provided in the <b>Statement of Reasons [EN010141/DR/4.1]</b>.</p> <p>A list of those persons consulted under s42(1)(d) is provided in the <b>Book of Reference [EN010141/DR/4.3]</b>.</p> <p>Following the statutory consultation, the Applicant identified a change to the construction access and engaged with the affected landowner to seek their views.</p>
Paragraph 024 Reference ID 02-024-20240430	Where appropriate, the Book of Reference should be supplemented by a Land and Rights Negotiation Tracker, submitted by the applicant and updated during the examination, setting out the status	The <b>Land and Rights Negotiations Tracker [EN010141/DR/4.4]</b> sets out the position in relation to the negotiations undertaken to date with affected owners, occupiers and others.

Guidance reference	Guidance	Applicant's regard to guidance
	of negotiations with landowners, Crown bodies and statutory undertakers affected by proposals for compulsory acquisition of land or rights and temporary possession.	Appendix A of the <b>Statement of Reasons [EN01057/APP/4.1]</b> sets out the purpose for land acquisition by reference to the works carried out in each plot.
Paragraph 024 Reference ID 02-024-20240430	It should be noted that for an accepted application, the situation concerning compilation of land interests can continue to evolve during the examination as new information becomes available, and it is not uncommon for the Book of Reference to be revised and resubmitted more than once. This is usually a substantial undertaking and applicants should dedicate sufficient time and resource, particularly as in many cases there may be parcels of land where there is little information available. With this in mind, applicants are advised to make maximum use of electronic data bases when compiling the Book of Reference to enable such changes to be made easily.	The Applicant notes this advice and has employed a specialist Land Referencing company to undertake this work who utilise a database to produce the <b>Book of Reference [EN010141/DR/4.3]</b> .
Paragraph 024 Reference ID 02-024-20240430	In addition, land interests can change over time and new or additional interests may emerge after an applicant has concluded statutory consultation but just before an application is submitted. In such a situation, the applicant should provide a proportionate opportunity to any new person identified with a land interest to make their views known on the application. Where new interests in land are identified very shortly before the intended submission of an application, despite diligent efforts earlier in the process, it may be difficult at that stage for applicants to consult and take account of any responses from those new interests before submitting their application as intended. If this situation arises applicants should be proactive and helpful in ensuring that the person understands how they can, if they so wish, engage with the process if the application is accepted for examination.	The Applicant notes this advice and has undertaken diligent enquiry to identify and consult affected land interests. A refresh will be undertaken again prior to Section 56 notices being sent out.  More detail on the identification of interests ahead of the targeted consultation can be found in <b>Section 7.3</b> of the <b>Consultation Report [EN010157/APP/5.1]</b> .
Paragraph 024 Reference ID 02-024-20240430	Applicants should explain in the consultation report how they have dealt with any new interests in land emerging after conclusion of their statutory consultation having regard to their duties to consult and take account of any responses.	The changes identified following the statutory consultation reduced the Order Limits, and therefore an addition consultation was not required. One change saw an alteration to the construction access, the Applicant engaged with the affected landowner and sought their feedback.
Paragraph 025 Reference ID 02-025-20240430	The Programme Document will enable the Planning Inspectorate to determine at the Inception Meeting that the proposed consultation arrangements are adequate for the level of complexity of the proposed project. The Programme Document should also identify an	The Applicant had conducted its non-statutory and statutory consultation before this guidance (including the requirement for a Programme Document to be prepared) was published. The

Guidance reference	Guidance	Applicant's regard to guidance
	appropriate milestone during the pre-application stage to enable the Planning Inspectorate to test the progress of the consultation.	Applicant submitted a Programme Document to the Planning Inspectorate via email on 28th October 2024.
Paragraph 025 Reference ID 02-025-20240430	This adequacy of consultation milestone should be early enough to enable applicants to consider how to undertake any additional engagement that may be needed, but sufficiently towards the end of the pre-application stage to assess the adequacy of the consultation that has been done. It is likely therefore to be no later than around 3 months before the intended date of submission of the application.	The Applicant submitted their written statement on the adequacy of consultation undertaken, informed by views from Cambridgeshire County Council, Huntingdon District Council and Bedford Borough Council as host planning authorities, to the Planning Inspectorate on 04 September 2025 as part of the Early Adequacy of Consultation Milestone. This was to give early consideration of the adequacy of consultation undertaken by the Applicant, prior to the acceptance stage of a DCO application. A copy of the Adequacy of Consultation Milestone can be found in <b>Consultation Report Appendix 6-1: Adequacy of Consultation Milestone Statement [EN010141/DR/5.2]</b> .
Paragraph 025 Reference ID 02-025-20240430	The adequacy of consultation milestone should be recorded by the applicant and submitted to the Planning Inspectorate as a short statement of the elements of consultation which have been carried out compared with the components set out in the Programme Document and the SoCC. The statement should include the views and any relevant supporting material from local authorities if available.	The Applicant submitted the Adequacy of Consultation Milestone Statement to the Planning Inspectorate on 4 <sup>th</sup> September 2025. The structure was in line with Planning Inspectorate guidance. A copy can be found in <b>Consultation Report Appendix 6-1: Adequacy of Consultation Milestone Statement [EN010141/DR/5.2]</b> .
Paragraph 025 Reference ID 02-025-20240430	The adequacy of consultation milestone is an informal but nonetheless important opportunity to check that the pre-application programme is on track, and if it is seriously adrift the Planning Inspectorate will advise the applicant about the steps necessary to enable the application to be submitted having fulfilled the statutory requirements. Inevitably this could mean a renegotiation of the expected date of submission, with the objective of avoiding the prospect of an application not being accepted for examination.	Section 51 advice was received from the Planning Inspectorate on 15 <sup>th</sup> September 2025 regarding the Adequacy of Consultation Milestone Statement. Details on how this has been considered are included in <b>Table 19</b> of the <b>Consultation Report [EN010141/DR/5.1]</b> .
Paragraph 026 Reference ID 02-026-20240430	This report should not include an excessively detailed description of every element of the consultation programme. The main objective should be to provide clarity not just on what consultation has been done but, crucially, how the applicant has taken it into account. It should therefore: <ul style="list-style-type: none"> <li>provide a general description of the consultation process undertaken including the timeline;</li> <li>set out specifically what the applicant has done to comply with the statutory requirements of the Planning Act,</li> </ul>	The Applicant submitted the Adequacy of Consultation Milestone Statement to the Planning Inspectorate on 4 <sup>th</sup> September 2025. The structure was in line with Planning Inspectorate guidance. A copy can be found in <b>Consultation Report Appendix 6-1: Adequacy of Consultation Milestone Statement [EN010141/DR/5.2]</b> .

Guidance reference	Guidance	Applicant's regard to guidance
	<p>including advice issued under <a href="#">section 51 of the Planning Act</a>, relevant secondary legislation and this guidance;</p> <ul style="list-style-type: none"> <li>• set out how the applicant has complied with the requirements to consult local communities described in the SoCC;</li> <li>• set out any relevant responses to consultation (but not a complete list of responses);</li> <li>• provide a description of how the proposed application for submission has been informed and influenced by taking account of those responses, showing any significant changes made as a result;</li> <li>• provide an explanation as to why any responses advising on changes to a proposed project, including advice from statutory consultees and local authorities on effects, were not followed; and</li> <li>• be expressed in terms sufficient to enable the Planning Inspectorate to understand fully how consultation has been undertaken, and how the issues raised through consultation have been addressed or responded to.</li> </ul>	
<p>Paragraph 026 Reference ID 02-026-20240430</p>	<p>It is good practice that those who have contributed to the consultation are informed of the results. The consultation report may not be the most appropriate format in which to respond to the points raised by various consultee groups and bodies. Applicants should therefore consider producing a summary note in plain English for the local community setting out headline findings and how they have been addressed, together with a link to the full consultation report for those interested.</p>	<p>The Applicant has committed to developing a simple to read 'You Said, We Did' consultation document that outlines how community feedback has directly resulted in changes to the Scheme, as well as providing details of where to access the Consultation Report. On acceptance of the application, the Applicant intends to publish this on the consultation website.</p> <p>Details of how people will be informed of the results of the statutory consultation are included in <b>Chapter 7</b> of the <b>Consultation Report [EN010141/DR/5.1]</b>.</p>
<p>Paragraph 026 Reference ID 02-026-20240430</p>	<p>A response to points raised by consultees with technical information is likely to need to focus on the specific impacts for which the body has expertise. The applicant should make a judgement as to whether the consultation report provides sufficient detail on the relevant effects, or whether a targeted response would be more appropriate.</p>	<p>All feedback from the non-statutory and statutory consultation, along with responses, is provided in the <b>Consultation Report [EN010157/APP/5.1]</b> and <b>Consultation Report Appendix 5 [EN010141/DR/5.2]</b>.</p> <p>Technical responses to points raised by consultees through stakeholder engagement are detailed further in the consultation and</p>

Guidance reference	Guidance	Applicant's regard to guidance
		engagement section of <b>ES Vol 1 Chapters 5 to 15 [EN010141/DR/6.1]</b> .
Paragraph 027 Reference ID 02-027-20240430	Applicants should discuss with the Planning Inspectorate which support package is most suitable for their project, in advance of the Inception Meeting if necessary. The Planning Inspectorate will assess as early as possible what is likely to be expected of them and will offer the applicant the most appropriate level of service, which will be expected to run for a fixed period of time in order to help the applicant and the Planning Inspectorate manage their resources efficiently. Applicants who wish to switch between the levels of service should discuss this with the Planning Inspectorate, which will advise on the consequences of any change.	The Applicant had held its inception meeting before this guidance was published. It has selected the Basic service tier.
Paragraph 030 Reference ID 02-030-20240430	The programme-led approach, driven by the applicant through their Programme Document, is intended to support preparation of the application and address the issues it gives rise to in such a way as those which remain outstanding at examination are minimised. Applicants, working with those engaged in the pre-application process, have an important role to play to ensure that an examination focuses on the main differences between the parties. Statements of Common Ground (SoCG) can support this by providing a written statement (prepared by the applicant and another party or parties), setting out matters on which they agree or disagree. Applicants are encouraged to submit SoCGs as part of the application documents, even if they are of a provisional or draft nature to be developed during the examination. It is therefore important that these are prepared during the pre-application period wherever possible, particularly with statutory consultees and affected local authorities. Principal Areas of Disagreement Summary Statements (PADSS) record the key areas of disagreement together with a statement as to what precise change to the draft DCO is sought by the relevant interested party to resolve the issues. Submission of PADSS are suitable for all types of application but are an essential element of a potential <a href="#">fast-track application</a> .	The latest Pre-application Guidance, including the need for a Programme Document, was published between the Applicant's non-statutory consultation and statutory consultation. A Programme Document was submitted to the Planning Inspectorate on 28 <sup>th</sup> October 2024. The document was uploaded to the project website on 28 <sup>th</sup> April 2025 and was advertised through a news post on the project website.  The Applicant is not submitting a Principal Areas of Disagreement Summary Statement (PADSS) or any SoCGs with the DCO Application, however it intends on providing SoCGs prior to and during the examination stage with relevant stakeholders.
Paragraph 031 Reference ID 02-031-20240430	An application for an Order granting development consent must be made in the form and include such matters prescribed by <a href="#">section 37 of the Planning Act</a> and Regulations <a href="#">5</a> , <a href="#">6</a> and <a href="#">7 of the APFP</a>	The Applicant has had regard to the matters prescribed by Section 37 of the Planning Act and Regulations 5, 6 and 7 of the APFP Regulations 2009 when producing the DCO Application.



Guidance reference	Guidance	Applicant's regard to guidance
	<p><a href="#">Regulations 2009</a>. These cover a wide range of plans and documents which must be submitted and compliance with the requirements of these regulations is one of the main tests the Planning Inspectorate applies in reaching a decision about whether or not to accept the application for examination.</p> <p>The content of a proposed application set out in the regulations consists of 3 types of matters:</p> <ul style="list-style-type: none"> <li>those elements which must be included in any application such as the draft DCO, Explanatory Memorandum and works plans;</li> <li>those elements which must be included but only where applicable, such as an Environmental Statement, Book of Reference and certain land plans (where altered means of access, and particular documents required by specific types of projects; and</li> <li>any other documents or plans considered necessary to support the application.</li> </ul>	
Paragraph 031 Reference ID 02-031-20240430	<p>In practice therefore, each application will differ in content contingent on the nature of the proposed NSIP and the impact on local features such as heritage assets and important habitats. There is flexibility offered by <a href="#">Regulation 5(2)(g) of the APFP Regulations 2009</a>, and in the light of experience of many proposals there are documents which most applicants now routinely submit such as a Design and Access Statement and a Code of Construction Practice, sometimes as part of the Environmental Statement.</p>	The Applicant has had regard to the nature of its Scheme when deciding documents to submit as part of its DCO Application.
Paragraph 031 Reference ID 02-031-20240430	<p>The expectation now in this guidance is that there are standard documents which the Examining Authority will normally require as part of an application to support an informed decision:</p> <ul style="list-style-type: none"> <li>a Planning Statement which provides a description of the proposed development and a summary of the main impacts, the policy context for the proposed development and how the project relates to the requirements of a designated NPS;</li> <li>where the application involves a request for compulsory acquisition powers a Land and Rights Negotiation Tracker which identifies each plot of land and enables the progress</li> </ul>	<p>The DCO Application is not a fast-track application.</p> <p>The DCO Application includes a <b>Planning Statement [EN010141/DR/5.3]</b> a <b>Land and Rights Negotiations Tracker [EN010141/DR/4.4]</b> and <b>Potential Main Issues for the Examination [EN010141/DR/7.22]</b>.</p>



Guidance reference	Guidance	Applicant's regard to guidance
	<p>of negotiations relating to each one during the examination to be easily monitored; and</p> <ul style="list-style-type: none"> <li>for proposed fast-track applications (and good practice for all applications) a document which sets out the applicant's view of the principal issues identified through pre-application process and the applicant's view on the extent to which they can be settled during the examination (this is explained more fully in <a href="#">guidance covering fast-track</a>).</li> </ul>	
<p>Paragraph 031 Reference ID 02-031-20240430</p>	<p>A further consideration is the desire for flexibility sought by many applicants particularly in the draft DCO, so that refinements to the approved development can be accommodated as detailed design and implementation takes place. This is supported by specific references in some NPSSs, but at the same time the DCO as a statutory instrument needs to be legally certain.</p> <p>A common way of balancing these requirements is to express the approved development by way of maximum parameters such as dimensions of buildings, reflecting the cautious worst-case approach also for the purposes of environmental assessment. This 'Rochdale Envelope' approach can be acceptable in formulating an NSIP application, but subject to the following considerations:</p> <ul style="list-style-type: none"> <li>the application documents such as the Planning Statement should explain and justify the need for, and the timescales associated with, the flexibility sought and this should be established within clearly defined parameters;</li> <li>the parameters established for the proposed development must be sufficiently detailed to enable a proper assessment of the likely significant environmental effects and to allow for the identification of necessary mitigation;</li> <li>the assessments in the Environmental Statement must be consistent with the parameters to ensure a robust worst-case assessment of the likely significant effects has been undertaken; and</li> <li>there must be sufficient information to enable all consultees to appreciate the impacts and effects of the proposed development and to meet the statutory consultation requirements; flexibility is not a reason for falling short in this regard.</li> </ul>	<p>In order to maintain flexibility in the design, the Applicant has used the 'Rochdale Envelope' approach in assessing the impacts of the Scheme.</p> <p>The maximum and minimum parameters used to inform the Environmental assessments are set out in the <b>Design Parameters Statement [EN010141/DR/7.1]</b> and <b>ES Vol 1 Chapter 2: The Scheme [EN010141/DR/6.1]</b>.</p>

Guidance reference	Guidance	Applicant's regard to guidance
Paragraph 031 Reference ID 02-031-20240430	Unless specifically requested by the Planning Inspectorate, there is no requirement to submit the application documents in hard copy form, and the expectation is that all material will be submitted electronically and published in due course on the Planning Inspectorate's <a href="#">National Infrastructure Planning website</a> . Documents should also be made available on the applicant's website. In due course the provisions of sections <a href="#">84</a> and <a href="#">85</a> of the Levelling Up and Regeneration Act 2023 will be implemented to apply to the NSIP consenting process by requiring the submission of planning data as will be specified in regulations. This will further enhance the ability of applicants to submit applications in up-to-date digital formats.	The Planning Inspectorate has confirmed that the Applicant does not need to submit the application documents in hard copy form.
Paragraph 032 Reference ID 02-032-20240430	Applicants are required to consult the local authority in whose area a proposed NSIP project lies (the 'host' local authority). They are also required to identify and consult the neighbouring local authorities under the requirements of <a href="#">section 43(2) and (2A) of the Planning Act</a> . This explains how lower tier or unitary authorities adjacent to the host authority, and upper tier authorities adjacent to the upper tier authority within which the proposal is located, should be consulted. Determining which neighbouring authorities should be involved can only be done on a case-by-case basis. If the boundaries of the proposed applications change, applicants will need to consider whether there are any changes to the local authorities they need to consult.	<p><b>Section 5.5 of the Consultation Report [EN010141/DR/5.1]</b> lists the relevant local authorities which were identified under Section 43 and contacted via letter on 23<sup>rd</sup> September 2024 and via email on 24<sup>th</sup> September 2024, in accordance with s42(1)(b) of the PA 2008.</p> <p>The host 'B' authorities consulted were;</p> <ul style="list-style-type: none"> <li>• Huntingdonshire District Council; and</li> <li>• Bedford Borough Council .</li> </ul> <p>The boundary 'A' authorities consulted were:</p> <ul style="list-style-type: none"> <li>• North Northamptonshire Council;</li> <li>• East Cambridgeshire District Council;</li> <li>• South Cambridgeshire District Council;</li> <li>• Central Bedfordshire Council;</li> <li>• Peterborough City Council;</li> <li>• Milton Keynes Council; and</li> <li>• Fenland District Council.</li> </ul> <p>The boundary 'C' authority consulted was:</p> <ul style="list-style-type: none"> <li>• Cambridgeshire County Council</li> </ul> <p>The boundary 'D' authorities consulted were:</p> <ul style="list-style-type: none"> <li>• Lincolnshire County Council;</li> <li>• Essex County Council;</li> <li>• Suffolk County Council;</li> </ul>

Guidance reference	Guidance	Applicant's regard to guidance
		<ul style="list-style-type: none"> <li>Hertfordshire County Council; and</li> <li>Norfolk County Council.</li> </ul> <p>A copy of the letter sent to the relevant authorities sent on 23rd September 2024 and via email on 24th September 2024 is provided in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>.</p>
Paragraph 032 Reference ID 02-032-20240430	Applicants need to appreciate the range of local government structures in England particularly, and the meaning of 'local authority' in <a href="#">section 43(3) of the Planning Act</a> for the purposes of consultation under the <a href="#">section 42 of the Planning Act</a> . Where a combined authority or combined county authority is in place, applicants are recommended to review whether the relevant legislation which established those authorities brings them within scope of the consultation requirements under the Planning Act. Unless functions of county, district or unitary authorities have been specifically transferred by legislation, then these type of government bodies would not be a 'local authority' under these sections of the Planning Act. However, it is good practice for applicants to work with the constituent local authorities to consider how a combined authority could best support development of the application.	<p>The Scheme falls within the bounds of the Cambridgeshire and Peterborough Combined Authority. The Applicant consulted with the Combined Authority under Section 42 of the Planning Act.</p> <p>A copy of the letter sent to the Cambridgeshire and Peterborough Combined Authority was sent on 23rd September 2024 and via email on 24th September 2024 is provided in <b>Consultation Report Appendix 4-2: Letter sent to consultees under section 42 [EN010141/DR/5.2]</b>.</p>
Paragraph 032 Reference ID 02-032-20240430	Depending on the nature and scale of the NSIP, and the extent to which a particular authority is affected, Planning Performance Agreements or mechanisms that provide <a href="#">cost recovery</a> may be appropriate. This should be set out in the applicant's Programme Document for discussion and agreement with the Planning Inspectorate at the Inception Meeting.	The Applicant has entered into a Planning Performance Agreement with Cambridgeshire County Council, Huntingdon District Council and Bedford Borough Council.
Paragraph 035 Reference ID 02-035-20240430	When an application is submitted to the Planning Inspectorate, local authorities affected by a proposed NSIP are invited by the Planning Inspectorate under <a href="#">section 55(4)(b) of the Planning Act</a> to confirm whether the consultation has been adequate in meeting the expectations set out in the SoCC. It is therefore vital that local authorities have been fully engaged during the consultation process undertaken by the applicant during the pre-application stage so that they are fully informed and able to respond authoritatively within tight deadlines in order that a decision on whether the application to proceed to examination can be made within 28 days. Accordingly, local authorities are advised to prepare	The <b>Consultation Report [EN010141/DR/5.1]</b> includes details on how the local authorities have been engaged through the pre-application process.

Guidance reference	Guidance	Applicant's regard to guidance
	their adequacy of consultation responses in advance of the acceptance stage, and to raise any concerns with applicants ahead of submission, and as part of the early adequacy of consultation milestone.	
Paragraph 036 Reference ID 02-036-20240430	Where a local authority raises an issue or concern about the draft SoCC which the applicant feels unable to address, the applicant is advised to work with the authority to find an appropriate way forward. Where this is not possible, they should explain the reasons for this and rationale for their course of action in the consultation report submitted as part of their application.	Comments received from the host authorities, with the Applicant's response has been included in <b>Table 2</b> of Consultation Report <b>Appendix 6-1: Adequacy of Consultation Milestone Statement [EN010141/DR/5.2]</b>
Paragraph 036 Reference ID 02-036-20240430	Applicants have a statutory duty to consult any local authority in whose land a project is sited. So, where an offshore project also features land-based development such as an onshore cable route and substation, the applicant should treat the local authority where the land-based development is located as the main consultee for the SoCC. The applicant is also advised to consider seeking views on the SoCC from local authorities whose communities may be affected by the project, for example visually or through construction traffic, even if the project is in fact some distance from the area in question. In addition, applicants may find it beneficial to discuss their SoCC with any local authorities in the vicinity where there could be an effect on harbour facilities.	The <b>Consultation Report [EN010141/DR/5.1]</b> includes details on how the local authorities have been identified and engaged through the pre-application process.
Paragraph 037 Reference ID 02-037-20240430	From the applicant's perspective, it is important that local authorities respond to a request for technical input in a timely manner. Applicants are expected to work with local authorities in preparing their Programme Document, including about how they support authorities to be effectively resourced to engage in a way that supports this Programme Document. Further consideration to these matters is provided in guidance dealing with fees, <a href="#">cost recovery</a> and Planning Performance Agreements.	Agreement regarding response timeframes was included within the Planning Performance Agreement, entered into with Cambridgeshire County Council, Huntingdon District Council and Bedford Borough Council. This Planning Performance Agreement was agreed and signed by all parties prior to the requirement to produce a Programme document was published.

**APPENDIX 7-2      CONSULTATION REPORT**  
**APPENDIX 7-2: APRIL 2025 NEWSLETTER**  
**[EN010141/DR/5.2]**



**EAST PARK  
ENERGY**

# Project update

April 2025



Brockwell Storage and Solar is developing plans for a new solar farm and energy storage project to the northwest of St Neots, known as East Park Energy.

In September and October 2024, we held a statutory consultation to present our proposals alongside the results of preliminary environmental assessments and seek your feedback. In this update, you can read about the response we received to this consultation and the work we've been carrying out since.

## STATUTORY CONSULTATION – THANK YOU FOR TAKING PART

Whether you attended an event, read our consultation materials or just submitted your feedback, thank you to everyone who took the time to participate in our statutory consultation. During the consultation, we wrote to landowners, organisations and local communities, held four in-person consultation events and hosted a series of in-person and one-to-one meetings.



**1,600+ leaflets** sent to nearby residential and commercial properties



**300+ local residents** attended our public consultation events



**29,000+ people** reached via social media

We're grateful to all those who provided feedback and over the past few months we have been reviewing your comments and using them to refine our proposals further.

More information about the feedback we received in our statutory consultation, including how this has helped influence our plans, will be available in the Consultation report that will form part of our application for development consent.

## PROGRAMME UPDATE

During our statutory consultation, we indicated that we would be submitting our development consent order application to the Planning Inspectorate in early 2025. However, we now have a better understanding of the work required prior to submission and our programme has since been updated. We now anticipate to submit our application in **Autumn 2025**.



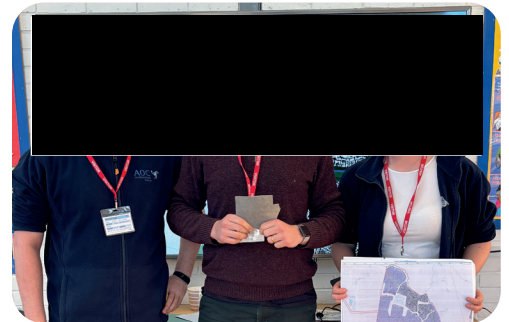
## OUT IN THE COMMUNITY

In 2024, archaeologists working on East Park Energy discovered the probable site of a previously unknown Roman small town south of Great Staughton. After engaging with local authorities and Historic England the area was listed as a scheduled monument and we removed proposed solar development from this area.

Following this, last month we were invited by Great Staughton Primary School and Great Staughton Parish Council to come and speak about the findings and their significance. The school visit was well-timed as the students had recently completed their studies on Roman history, whilst more than 60 local residents attended the briefing arranged by the parish council.

During the sessions, members of the team shared detailed insights relating to the scheduled monument and offered interpretations into how the Romans may have lived and worked in the area, as well as what the findings could mean for future archaeological investigations.

We are continuing field investigations to better understand the archaeological remains and develop the overall scheme design before submission later this year. We will continue to keep the local community and key stakeholders updated on any future surveys.



## CURRENT SURVEYS

Last August, we started archaeological surveys across the site to help us better understand what is buried below the ground. These works were paused over the winter and resumed at the end of March.

During the surveys, our appointed archaeologists will use diggers to lay a series of trial trenches. The trenches will be roughly 50 metres long and 50 centimetres deep. Following this, our team will investigate the trenches and take note of any archaeological features they find. Should anything of significance be found, they will work with the county archaeologist to ensure that the findings have been suitably investigated and recorded. Once the survey work is complete, the trenches will be backfilled with subsoil and topsoil. Where Public Rights of Way pass close to our worksites, we will ensure that they are clearly signposted.

In addition to the trenches, we will also need a small number of temporary works areas, which will be used for staff welfare facilities and machinery storage whilst the works are taking place. These works areas will be removed once the trial trenching is complete.

We expect the surveys to last until August. As they progress, we will continue to keep the local community and key stakeholders updated on any findings via our website.

## CONTACT US

To find out more about our proposals, visit our website at [eastparkenergy.co.uk](http://eastparkenergy.co.uk), or alternatively contact us via:

@ [info@eastparkenergy.co.uk](mailto:info@eastparkenergy.co.uk)

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**APPENDIX 7-3      CONSULTATION REPORT**  
**APPENDIX 7-3: SEPTEMBER 2025 NEWSLETTER**  
**[EN010141/DR/5.2]**

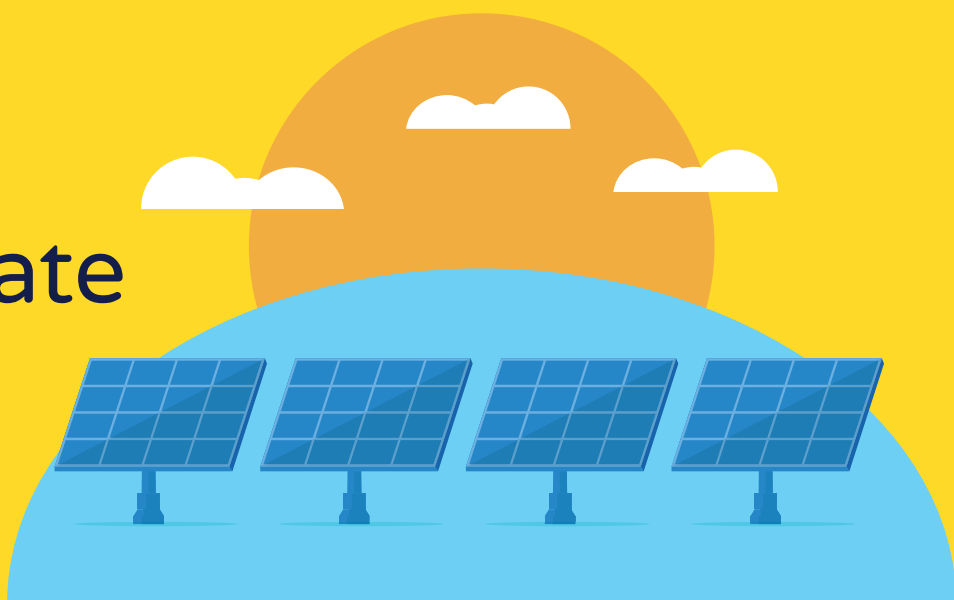




**EAST PARK  
ENERGY**

# Project update

## September 2025



Brockwell Storage and Solar is developing plans for a new solar farm and energy storage project to the northwest of St Neots, known as East Park Energy.

Last year, we held a statutory public consultation to seek your feedback on our developed plans. Following this, we are confirming some changes to our proposals as we prepare to submit our application for development consent in autumn 2025. These changes are the result of landowner engagement, environmental and technical surveys, and your feedback.

### **Some of the key changes we are making, which you can read about in this newsletter, include:**



Removing small areas of solar development from our proposals, including one location in Site A and various locations in Sites B and C.



Confirming our intention to proceed with Option 2/Site D for the location of a battery energy storage system (BESS) and internal substation.



Realignment of some site access points, including north west of Little Staughton and on Great Staughton Road.



Increasing the value of our proposed Legacy Fund, which will ensure that those living in the area around our proposals benefit from its construction and operation.

We are also making a series of smaller refinements to our plans. These changes include consolidation and realignment of fencing, and minor changes to the alignment of underground cable corridors.







You can find an overview of the changes we are making to our plans in the adjacent map.

What hasn't changed?


Despite the proposed changes and refinements, our overarching proposals for East Park Energy remain broadly unchanged. They include:



A solar farm capable of generating up to 400 MW of clean electricity – equivalent to more than enough power for every home in Bedford and St Neots



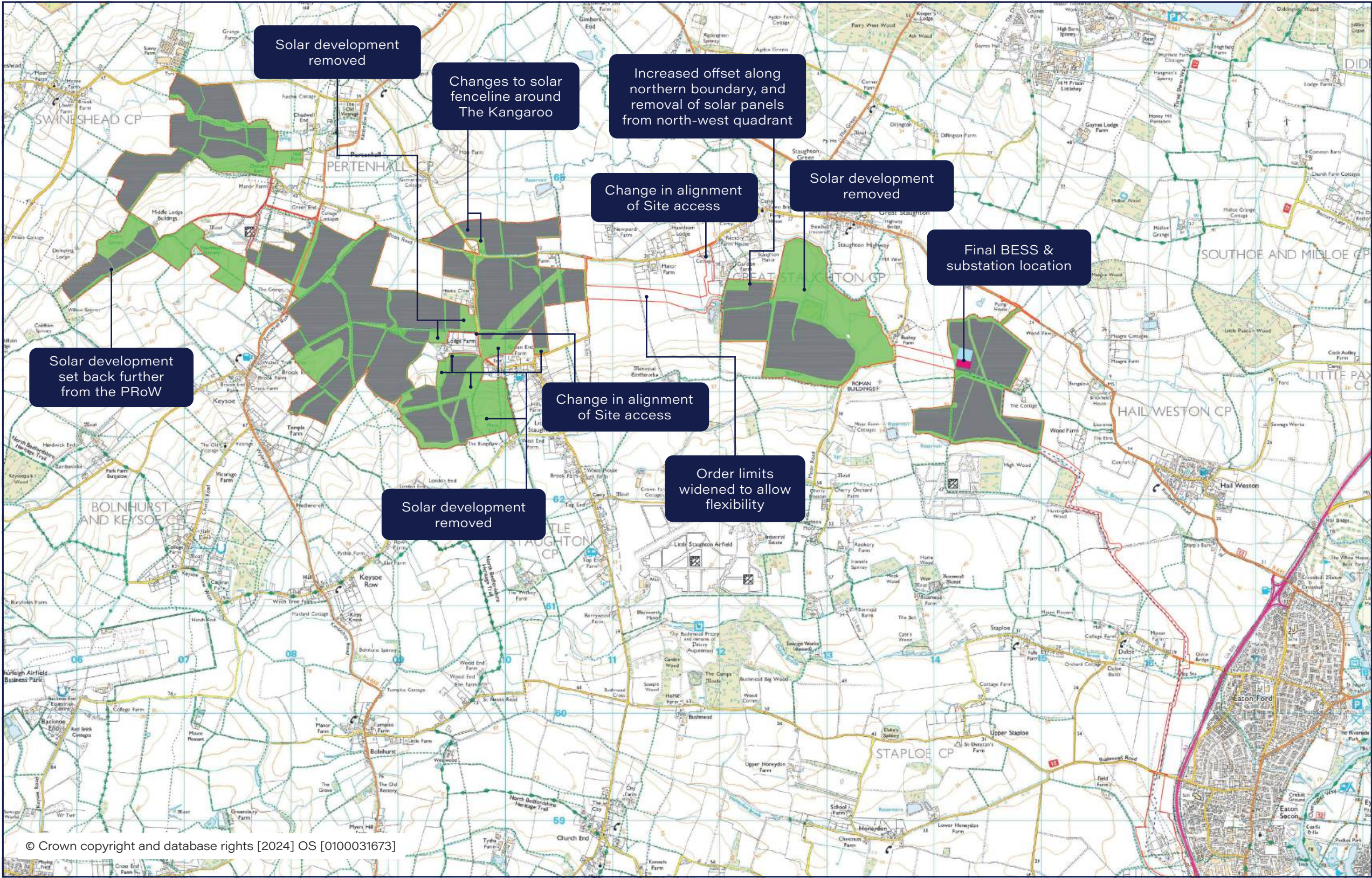
A battery energy storage facility capable of storing up to 100 MW of electricity until it's needed



A connection to the electricity network via underground cables at Eaton Socon substation



Works to enhance and maintain the natural environment.



-  Order Limits
-  Solar and Associated Infrastructure
-  Landscaping and Habitat Creation
-  East Park Substation
-  Battery Energy Storage Facility
-  400kV Grid Connection to Eaton Socon Substation





## Removing areas of solar development

In response to consultation feedback, we have removed small parcels of solar development from various locations, with a particular focus on the area around Little Staughton (Site B). You can see the parcels of solar development that we have removed on the adjacent plan. In this area, we have also reintroduced a small area of solar development at a location north of The Kangaroo, along with new woodland planting and screening.

Elsewhere, we are increasing the set back of our proposals from the bridleway by an additional 10 metres near Bridleway 37 in Site A. This will allow for new woodland planting and screening.

In Site C, we have increased the distance between our proposals and the existing environment by removing small amounts of solar development near Garden Farm and Staughton Manor. We have also removed an area of solar development close to where our archaeology surveys previously identified the

site of a probable Roman Small Town. We are now proposing new woodland planting at this location that would provide a buffer between our proposals and the archaeology findings, which we worked with Historic England to have designated as a Scheduled Monument last year.

## Battery energy storage system (BESS) and internal substation location

At our statutory consultation in 2024, we presented two options for where a BESS and internal substation could be located – Site C (Option 1) and Site D (Option 2).

Of the two choices, Option 2 was the most popular in consultation feedback. It is also more accessible from the local road network. We are therefore confirming that the BESS and internal substation will be located in Site D, whilst at Option 1/Site C we are now showing solar development in place of BESS Option 1.



## Site access changes

We have made small changes to two proposed site accesses:

- North west of Little Staughton, we have moved the alignment of the site access further north to increase the distance from a nearby residential property and reduce the impact on a nearby footpath
- Along Great Staughton Road, whilst we are still proposing to make use of an existing access point to enter Site C, we are now proposing to build a new access track rather than use an existing private track.

## Legacy Fund

At last year's statutory consultation we sought your views on three different models for delivering a Legacy Fund that would provide financial contributions to local projects and initiatives. These options included suggested financial funding of £2 million (Option A – lump sum), £4 million (Option B – lump sum and annual fund) and £6 million (Option C – annual fund). Whilst we have not decided on which distribution model the Legacy Fund will use, we are confirming our intention to increase the amount of funding we would provide to £400

per megawatt of installed solar capacity per year. Across the lifetime of the project, this would give the Legacy Fund a total value of £6.4 million.

## Other changes

Some of the smaller changes we are making to our plans include widening the draft order limits (which comprise the land we would need to build, operate, and decommission the project) around the underground cable corridor between Sites B and C. This is to allow for sufficient space to work around field drains. We have also undertaken further consolidation and realignment of proposed fence lines, particularly where we are removing solar development or increasing the buffer between our proposals and the existing environment.

**For more information on the changes we have made to our plans, an updated Illustrative environmental masterplan is available on our website, [eastparkenergy.co.uk](http://eastparkenergy.co.uk).** The changes we have made do not alter the conclusion of the Preliminary environmental information report published at our statutory consultation.





## What happens now?

Alongside the changes to our plans set out in this newsletter, we are continuing to prepare our application for development consent. We expect to submit this application to the Planning Inspectorate, the government body responsible for reviewing planning applications for major infrastructure projects, in autumn 2025.

Once we've submitted our application and the Planning Inspectorate has confirmed it meets the standard required to be considered further, they will appoint an independent panel who will undertake a detailed examination of our plans. During the examination, there will be the opportunity for members of the public to register their views and take part in the process.

At the end of the examination, the independent panel will prepare a report with a recommendation on whether or not our application should be approved. The final decision then rests with the Secretary of State for Energy Security and Net Zero.

## Indicative project timeline

▼ Non-statutory consultation	<b>Oct - Nov 2023</b>
▼ Reviewing feedback and developing proposals	<b>Winter 2023 – Summer 2024</b>
▼ Statutory consultation	<b>Sept - Oct 2024</b>
▼ Finalising our plans	<b>Now</b>
▼ Application submission	<b>Autumn 2025</b>
▼ Pre-examination	<b>Winter 2025</b>
▼ Examination	<b>2026</b>
▼ Recommendation	<b>Autumn 2026</b>
▼ Decision	<b>Early 2027</b>
▼ Construction	<b>2027 Onwards</b>

## CONTACT US

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