



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of [Advice on the preparation and submission of application documents](#)

Version: October 2024

Section 55 Acceptance of Applications Checklist

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

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

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

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28-day due date	Date of decision
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:		Planning Inspectorate comments		
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	In accordance with sections(s) 14 to 30 of the Planning Act 2008 (the PA2008), is the development a Nationally Significant Infrastructure Project (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that, in accordance with s31 of the PA2008, it is an application for a Development Consent Order (DCO) under the PA2008, or equivalent words? Does the application specify the development to	<p>Yes.</p> <p>Fenwick Solar Farm (the Scheme) is a Nationally Significant Infrastructure Project (NSIP) pursuant to sections 14(1)(a) and 15(1) and (2) of the Planning Act 2008 (PA 2008), as it is an onshore generating station wholly within England, that does not generate energy from wind and has a generating capacity exceeding 50 Megawatts (MW).</p> <p>This is set out in the Application Form [EN010152/APP/1.3] and Explanatory Memorandum [EN010152/APP/3.2] to the draft DCO [EN010152/APP/3.1]. The works that form the Scheme are set out in Schedule 1 of the draft DCO [EN010152/APP/3.1].</p>		

	<p>which it relates (i.e. which category or categories in s14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in s14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>The Covering Letter [EN010152/APP/1.1] clearly states that this application (the Application) is for development consent under the PA 2008.</p> <p>The description of the Scheme is summarised in the Guide to the Application [EN010152/APP/1.2] and explained in non technical language in the Environmental Statement (ES) Volume IV, ES Non Technical Summary [EN010152/APP/6.4]. A detailed description is provided in ES Volume I, Chapter 2: The Scheme, [EN010152/APP/6.1].</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate can be satisfied that the Application as submitted is an application for a DCO under the PA 2008 and that development consent is required for the development to which the Application relates.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>Yes. The Applicant notified the Secretary of State under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) regulations 2017 (EIA Regulations) on 1 June 2023 that it proposed to provide an Environmental Statement (ES) in respect of the Scheme with its application for a DCO. This was in advance of the statutory consultation in accordance with section 42 of the PA 2008.</p> <p>The Applicant also formally requested a Scoping Opinion from the Planning Inspectorate under Regulation 10 of the EIA Regulations, accompanied by the necessary information to inform the request, the EIA Scoping Report. The EIA Scoping Report is provided as ES Volume III, Appendix 1-1: EIA Scoping Report [EN010152/APP/6.3]. The Planning Inspectorate's Scoping Opinion, dated 11 July 2023, is also provided in ES Volume III, Appendix 1-2: EIA Scoping Opinion [EN010152/APP/6.3]. The Scoping Opinion acknowledges the Applicant's notice at paragraph 1.0.1. Notice of the Applicant's proposal to provide an Environmental Statement was given prior to carrying out consultation in accordance with section 42 of the PA 2008. The Letter and acknowledgement are provided at Appendix C of the Consultation Report Appendices [EN010152/APP/5.2].</p>

5	<p>Have any Adequacy of Consultation Representations been received from 'A', 'B', 'C' and 'D' local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p> <p>Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received.</p>	<p>No such representations have been received by the Applicant. It is anticipated that following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide a statement relating to the adequacy of the consultation pursuant to section 55(4)(b) of the PA 2008 and the Planning Inspectorate's Nationally Significant Infrastructure Projects: Advice for Local Authorities (August 2024). In the pre-application stages, the Applicant has engaged with relevant local authorities on an informal and formal basis and is not aware of any issues that the relevant local authorities have had with regard to the adequacy of the consultation undertaken by the Applicant.</p>
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Section 42: Duty to consult

Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?

6	<p>Section 42(1)(a) persons prescribed?</p> <p>The persons prescribed are the statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations).</p>	<p>Yes.</p> <p>The statutory consultation period for the Scheme was held between 18 April 2024 to 31 May 2024 and the Applicant consulted with all applicable parties, including all the relevant parties prescribed under Section 42(1)(a) of the PA 2008.</p> <p>The list of the Prescribed Consultees consulted during the statutory consultation is set out in Appendix I of the Consultation Report Appendices [EN010152/APP/5.2].</p> <p>The list was compiled using Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations). Consultation bodies identified under Regulation 11 (1)(c) of the EIA Regulations by the Planning Inspectorate on 11 July 2023 as part of the Scoping Opinion were also considered although none were identified that had not already been noted. Regard was also had to the Planning Inspectorate's Advice Note Three: EIA Notification and Consultation (which was the published Advice note at the time) in identifying the consultation bodies and applied the 'Circumstances Test' set out in Annex 1 of this advice note.</p> <p>On 6 March 2024, the Infrastructure Planning (Miscellaneous Provisions) Regulations 2024 were made, which made changes to the organisations listed in the APFP</p>
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		<p>Regulations 2009. However, it is noted that the transitional provisions for the changes state: <i>“the amendments in regulation 2 do not apply to any proposed application for an order granting development consent where the applicant has started to consult under section 42 of the Act before 30th April 2024.”</i> These changes therefore did not apply to the statutory consultation for the Scheme as consultation commenced on 18 April 2024 however the organisations added to the prescribed consultees as a result of these changes were consulted, where relevant, as part of the under section 42(1)(a) consultation undertaken by the Applicant.</p> <p>The Applicant wrote to the prescribed consultees under section 42(1)(a) on 15 April 2024 providing an overview of the Scheme, explaining that the Scheme is a NSIP requiring a DCO application and is EIA development; that the party to whom it was addressed was being formally consulted under the requirements of Section 42(1)(a) of the PA 2008; the documents being provided as part of the consultation; and setting out how to respond to the consultation. A copy of the section 48 notice was also provided in accordance with Regulation 13 of the EIA Regulations. A sample copy of this letter and the enclosed section 48 notice is provided in Appendix M of the Consultation Report Appendices [EN010152/APP/5.2]. This letter was delivered by Royal Mail delivery and further details are provided in section 3.5 of the Consultation Report [EN010152/APP/5.1].</p>
7	<p>Section 42(1)(aa) the Marine Management Organisation(MMO)?</p> <p>The MMO must be consulted in any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008.</p>	<p>No.</p> <p>The Marine Management Organisation is not applicable in this case as the Scheme neither interfaces nor impacts with areas relevant to this organisation.</p>
8	<p>Section 42(1)(b) each local authority within s43?</p> <p>Definition of ‘local authority’ in s43(3) of the PA2008: The ‘B’ authority where the application land is in the authority’s area; the ‘A’ authority where any part of the boundary of A’s area is also</p>	<p>Yes, the Applicant wrote to the consultees under section 42(1)(b) of the PA 2008 on 15 April 2024 providing an overview of the Scheme, explaining that the Scheme is a NSIP requiring a DCO application and is EIA development; that the party to whom it was addressed was being formally consulted under the requirements of Section 42(1)(b) of the PA 2008; the documents being provided as part of the consultation; and setting out how to respond to the consultation. A copy of the section 48 notice was also provided</p>

	<p>a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority.</p>	<p>in accordance with Regulation 13 of the EIA Regulations. A sample copy of this letter and the enclosed section 48 notice is provided in Appendix M of the Consultation Report Appendices [EN010152/APP/5.2]. This letter was delivered by Royal Mail delivery and further details are provided in section 3.5 of the Consultation Report [EN010152/APP/5.1].</p> <p>The list of section 42(1)(b) consultees consulted during the statutory consultation is provided in Table 3-5 of the Consultation Report [EN010152/APP/5.1] and also provided in Appendix I of the Consultation Report Appendices [EN010152/APP/5.2].</p> <p>As the Order land is not covered by a County Council, due to there being a Metropolitan Borough Council as the host authority ("B" authority), there were no "C" or "D" authorities identified.</p>
9	<p>Section 42(1)(c) the Greater London Authority (if in Greater London area)?</p>	<p>No.</p> <p>The Scheme is not located within Greater London and therefore the Greater London Authority is not a relevant consultee.</p>
10	<p>Section 42(1)(d) each person in one or more of s44 categories?</p> <p>Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim.</p>	<p>Yes.</p> <p>For the purposes of the statutory consultation, the Applicant consulted with all relevant parties as defined under section 44 of the PA 2008 which included:</p> <ul style="list-style-type: none"> • Category 1 persons as per (section 44(1) – comprising owners, lessees, tenants (whatever the tenancy period) or occupiers of the land; • Category 2 persons as per section 44(2) – comprising persons that are interested in the land or have the power to sell and convey, or to release, the land; and • Category 3 persons as per section 44(4) – comprising those parties that the Applicant considered would or might be able to make a relevant claim as a result of the Order being made and fully implemented. This included those with relevant interests to make a claim under Part 1 of the Land Compensation Act 1973, section 10 of the Compulsory Purchase Act 1965 and section 152(3) of the PA 2008.

		<p>The process of identifying Section 42(1)(d) consultees is set out in section 3.4 of the Consultation Report [EN010152/APP/5.1]. A full list of consultees identified in accordance with Section 42(1)(d) of the PA 2008 is set out in the Book of Reference [EN010152/APP/4.3].</p> <p>The Applicant wrote to the consultees under section 42(1)(d) of the PA 2008 on 16 April 2024 providing an overview of the Scheme, explaining that the Scheme is a NSIP requiring a DCO application and is EIA development; that the party to whom it was addressed was being formally consulted under the requirements of Section 42(1)(d) of the PA 2008; the documents being provided as part of the consultation; and setting out how to respond to the consultation. A sample copy of this letter is provided in Appendix J of the Consultation Report Appendices [EN010152/APP/5.2].</p> <p>The Applicant enclosed with the letter a consultation brochure, feedback form and plans showing the location of the Scheme. A copy of the landownership plan for the land that their interest is in reference to was also included. This letter was delivered by Royal Mail delivery and further details are provided in section 3.5 of the Consultation Report [EN010152/APP/5.1].</p> <p>Following the statutory consultation, the Applicant carried out a further targeted engagement with a landowner as a result of a small change to the Order limits made following statutory consultation. The Applicant wrote to the landowner on 30 July 2024.</p> <p>As a result of ongoing diligent inquiry, the Applicant identified two landowners and an agricultural tenant with interests in the Order limits. The Applicant wrote to the newly identified land interests on 6 September 2024.</p> <p>Further details of these targeted consultations are provided in Chapter 6 of the Consultation Report [EN010152/APP/5.1].</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the	Yes. The Applicant wrote formally to all consultees identified under section 42 of the PA 2008 on 15 April 2024 and 16 April 2024 ahead of statutory consultation starting to notify them of the consultation. The consultation period ran from the 18 April 2024 to 31 May 2024.

	<p>Applicant 28 days or more starting with the day after receipt of the consultation documents?</p>	<p>The Applicant notified section 42 consultees that its deadline for receipt of consultation responses was 31 May 2024. The deadline was more than 28 days after the day after receipt of the consultation documents by section 42 consultees. Samples of the letters sent to Section 42 consultees are provided at Appendix J of the Consultation Report [EN010152/APP/5.2]. Each of the letters issued to the section 42 consultees clearly stated a deadline for the receipt of consultation responses.</p> <p>Following the statutory consultation, the Applicant carried out further targeted engagement with a landowner as a result of a small change to the Order limits made following statutory consultation. The Applicant wrote to the newly identified land interest on 30 July 2024 providing a deadline of 30 August 2024 to respond. The deadline was more than 28 days after the day after receipt of the consultation documents by this section 42(1)(d) consultee.</p> <p>As a result of ongoing diligent inquiry, the Applicant identified two landowners and an agricultural tenant with interests in the Order limits. The Applicant wrote to the newly identified land interests on 6 September 2024 providing a deadline of 8 October 2024 to respond. The deadline was more than 28 days after the day after receipt of the consultation documents by these section 42(1)(d) consultees.</p> <p>Further details of these targeted consultations are provided in Chapter 6 of the Consultation Report [EN010152/APP/5.1].</p>
<p>Section 46: Duty to notify the Planning Inspectorate of proposed application</p>		
<p>12</p>	<p>Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?</p>	<p>Yes.</p> <p>The Applicant gave notice to the Planning Inspectorate in accordance with section 46 of the PA 2008 on 11 April 2024, which was before the date it was sent to section 42 consultees and before the beginning of the section 42 consultation which commenced on the 18 April 2024 and ran until the 31 May 2024. A copy of the section 46 notification letter is provided at Appendix K1 of the Consultation Report Appendices [EN010152/APP/5.2] and a copy of section 46 notification acknowledgement letter from the Planning Inspectorate received on 15 April 2024 is provided at Appendix K2 of the Consultation Report Appendices [EN010152/APP/5.2].</p>

Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>In accordance with section 47(1) of the PA 2008, the Applicant published a SoCC in respect of the Scheme on the Applicant’s website on 4 April 2024 setting out how it proposed to consult with people living in the vicinity of the Scheme. A copy of the published SoCC is provided in Appendix H1 of the Consultation Report Appendices [EN010152/APP/5.2].</p> <p>The SoCC was produced in close collaboration with the City of Doncaster Council as the host authority (“B” authority as defined by Section 43(1) of the PA 2008) relevant to the Scheme. Section 3.3 of the Consultation Report [EN010152/APP/5.1] details how the SoCC was updated following consultation.</p>
14	Were ‘B’ and (where relevant) ‘C’ authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that ‘B’ and, where applicable, ‘C’ authorities received the consultation documents?	<p>Yes.</p> <p>In accordance with section 47(2) of the PA 2008 and Regulation 12 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), the Applicant consulted City of Doncaster Council, as the host authority (“B” authority), on the proposed methods set out in the SoCC for consulting people living in the vicinity of the Scheme. This took place through two rounds of consultation. The first informal round of consultation ran from 15 January 2024 to 11 February 2024. The SoCC was then updated based on these comments ahead of a formal consultation period on the updated draft SoCC, which ran for 29 days from 19 February 2024 to 20 March 2024.</p> <p>Further detail on the SoCC is provided in Section 3.3 of the Consultation Report [EN010152/APP/5.1].</p> <p>As the Order land is not covered by a County Council, due to there being a Metropolitan Borough Council as the host authority (“B” authority), there were no “C” authorities identified to be consulted.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p>

		The Applicant has had regard to all responses from the City of Doncaster Council consulted on the draft SoCC. Feedback received from City of Doncaster Council during informal consultation on the SoCC is set out in Table 3-2 of the Consultation Report [EN010152/APP/5.1] . No further formal feedback was received from City of Doncaster during the period of formal feedback on the SoCC. Section 3.3 of the Consultation Report [EN010152/APP/5.1] sets out how the Applicant had regard to the responses in preparing the final SoCC.
16	Has the SoCC been made available for inspection on a website maintained by or on behalf of the Applicant; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p>In accordance with the requirements of section 47(6) of the PA 2008, the Applicant published a section 47 notice in The Doncaster Free Press and Goole Times on 4 April 2024. A copy of the final SoCC notice as published is provided within Appendix M of the Consultation Report Appendices [EN010152/APP/5.2]</p> <p>The SoCC was also made publicly available on the Applicant's website on 4 April 2024 (see Appendix H2: SoCC availability online, Consultation Report Appendices [EN010152/APP/5.2]).</p> <p>Printed copies of the SoCC were made available at the document inspection locations outlined in Table 3-11, Section 3.10 of the Consultation Report [EN010152/APP/5.1].</p>
17	In accordance with Regulation 12 of the EIA Regulations, does the SoCC set out whether the development is EIA development; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Paragraphs 2.1.9 to 2.1.16 of the SoCC set out that the development is EIA development, under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.</p> <p>Sections 3 and 4 of the published SoCC at Appendix H1 of the Consultation Report Appendices [EN010152/APP/5.2] set out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p> <p>The Consultation Report [EN010152/APP/5.1] at Table 3-4, Section 3.3 sets out how the Applicant has complied with the commitments of the SoCC, in accordance with section 47(7) of the PA 2008. Paragraph 3.3.20 of the Consultation Report</p>

		[EN010152/APP/5.1] sets out that the SoCC was available in the deposit locations listed in Table 3-11 during the statutory period which ran between 18 April 2024 to on 31 May 2024.	
Section 48: Duty to publicise the proposed application			
19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the (as amended) APFP Regulations 2009?	<p>Yes.</p> <p>Section 3.8 of the Consultation Report [EN010152/APP/5.1] sets out that in accordance with Section 48(1) of the PA 2008 a notice publicising the Application was published in the prescribed manner, namely in accordance with Regulation 4(2) and with reference to Regulation 4(3) of the APFP Regulations.</p> <p>Table 3-8 of the Consultation Report [EN010152/APP/5.1] explains how the Applicant has complied with section 48 of the PA 2008. Copies of all section 48 newspaper notices are provided at Appendix M2, M3, M4, M5, M6 and M7 of the Consultation Report Appendices [EN010152/APP/5.2].</p>	
		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<p>Table 3-9 of the Consultation Report [EN010152/APP/5.1] provides details of the local newspapers that the notice was published in for two successive weeks. The local newspapers used were the Doncaster Free Press and Goole Times.</p> <p>Copies of the section 48 newspaper notices are provided at Appendix M4, M5, M6 and M7 of the Consultation Report Appendices [EN010152/APP/5.2] published under section 48 in the Doncaster Free Press and Goole Times.</p>	11 April 2024 and 18 April 2024
b)	once in a national newspaper;	Table 3-9 of the Consultation Report [EN010152/APP/5.1] provides details of the National newspaper that the notice was published in. This was The Guardian.	11 April 2024

		Appendix M2 of the Consultation Report Appendices [EN010152/APP/5.2] provides a copy of the newspaper notice published under section 48 in The Guardian.			
c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<p>Table 3-9 of the Consultation Report [EN010152/APP/5.1] provides details of the publication of the section 48 notice in the London Gazette.</p> <p>Appendix M3 of the Consultation Report Appendices [EN010152/APP/5.2] provides a copy of the newspaper notice published in the London Gazette.</p> <p>No land in Scotland is affected by the Scheme and so no notice was placed in the Edinburgh Gazette.</p>	10 April 2024		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	Not applicable – the Scheme does not relate to offshore development.	Not applicable		
20	Did the s48 notice include the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009?	<p>Yes.</p> <p>The published section 48 notice is contained in Appendix M of the Consultation Report Appendices [EN010152/APP/5.2] and contains the required information as set out below and confirmed in Table 3-8 of the Consultation Report [EN010152/APP/5.1].</p>			
	Information	Paragraph	Information	Paragraph	
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1

c)	a statement as to whether the application is EIA development	4	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	2
e)	a statement that the documents, plans and maps were available on a website maintained by or on behalf of the Applicant. The statement must include: <ul style="list-style-type: none"> • The nature and location of the Proposed Development • The address of the website • The place on the website • A telephone number which can be used to contact the Applicant for enquiries in relation to the documents, plans and maps. 	7 and 17	f)	the latest date on which those documents, plans and maps will be available for inspection	7
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	10	h)	details of how to respond to the publicity	14
i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	13			
21	Are there any observations in respect of the s48 notice provided above?				
	Not applicable.				

22	Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with Regulation 13 of the EIA Regulations?	<p>Yes.</p> <p>The Applicant issued a copy of the Section 48 notice to EIA consultation bodies as required by Regulation 13 of the EIA Regulations as defined in Regulation 3 of the EIA Regulations. The statutory consultation letters to section 42(1)(a) and section 42(1)(b) on the 15 April 2024 included a copy of the Section 48 notice. These letters are provided in Appendix J of the Consultation Report Appendices [EN010152/APP/5.2]. The section 48 notice is contained in Appendix M of the Consultation Report Appendices [EN010152/APP/5.2].</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes.</p> <p>Chapter 4 of the Consultation Report [EN010152/APP/5.1] provides an overview of the responses received from consultees consulted under section 42, section 47 and section 48 of the PA 2008 and sets out the methodology the Applicant has used to analyse them. Appendices O1-O4 of the Consultation Report Appendices [EN010152/APP/5.2] provides tables evidencing regard had to the statutory consultation responses in accordance with section 49 of the PA 2008. The Applicant did not receive any feedback that could be identified as being specifically submitted as a result of the publicity required by section 48 of PA 2008.</p> <p>Chapter 5 of the Consultation Report [EN010152APP/5.1] sets out the engagement had with consultees following the statutory consultation. Chapter 6 of the Consultation Report [EN010152/APP/5.1] confirms that no responses were received from consultees during the targeted consultations which took place between 30 July 2024 to 30 August 2024 and 6 September 2024 and 8 October 2024.</p>
S50(3) Regard to guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Pre-	<p>Appendix A of the Consultation Report [EN010152/APP/5.2] sets out how the Applicant has had regard to statutory guidance in DCLG's (2015) 'Planning Act 2008: Guidance on the pre-application process' The guidance was updated on 30 April 2024 following the start of the statutory consultation. The Applicant has subsequently reviewed this updated guidance and considers its statutory consultation approach to be in</p>

	<p>application stage for Nationally Significant Infrastructure Projects’?</p> <p>The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50.</p>	<p>accordance with it, and that no material changes to the approach to consultation would be required.</p>
25	<p>Summary: Section 55(3)(e)</p>	<p>The Planning Inspectorate can be satisfied that the Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA 2008.</p>
<p>s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)</p>		
26	<p>Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Planning Inspectorate; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes. The Application is made in the prescribed form (Application Form [EN010152/APP/1.3]) as set out in Schedule 2 of the APFP Regulations.</p> <p>Section 4 of the Application Form [EN010152/APP/1.3] explains why the development falls within the remit of the Planning Inspectorate. Section 6 of the Application Form [EN010152/APP/1.3] provides a brief statement identifying the location of the application site.</p> <p>A Location Plan [EN010152/APP/2.5] has also been provided.</p>
27	<p>Is it accompanied by a Consultation Report?</p>	<p>Yes.</p> <p>The Application is accompanied by a Consultation Report [EN010152/APP/5.1] and Consultation Report Appendices [EN010152/APP/5.2].</p>
28	<p>In accordance with Regulation 5(4) of the APFP Regulations, where a plan comprises three or more separate sheets, has a key plan been</p>	<p>Yes. Key plans have been provided for all plans containing three or more sheets. These are provided for all plans provided at Volume 2 Plans [EN010152/APP/2.1-2.9].</p>

	provided showing the relationship between the different sheets?	
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by Regulation 5(2) of the APFP Regulations are set out in the documents and locations within the Application as listed below. The Guide to the Application [EN010152/APP/1.2] and the Electronic Application Index [EN010152/APP/1.5] list the documentation submitted with the respective Document References and APFP Regulation references.

Information		Document		Information		Document	
a)	Where applicable, the Environmental Statement required under the EIA Regulations and any scoping or screening opinions or directions	An Environmental Statement [EN010152/APP/6.1] and supporting Figures [EN010152/APP/6.2] and Appendices [EN010152/APP/6.3] have been submitted with the Application. These are accompanied by the: Non-Technical Summary [EN010152/APP/6.4] The Environmental Statement is based on the EIA Scoping Report, provided in Appendix 1-1 and EIA Scoping Opinion, provided in ES		b)	The draft Development Consent Order (DCO)	The Application is accompanied by the draft Development Consent Order [EN010152/APP/3.1] in the validated statutory instrument template.	

		Volume III, Appendix 1-2 [EN010152/APP/6.3]. A tabulated summary of scoping comments and how the comments have been complied with is provided in ES Volume III, Appendix 1-3 EIA Scoping Opinion Responses [EN010152/APP/6.3].			
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that these are of a satisfactory standard.		Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard
c)	An Explanatory Memorandum explaining the purpose and effect of provisions in the draft DCO	An Explanatory Memorandum [EN010152/APP/3.2] to the draft DCO [EN010152/APP/3.1] has been submitted with the Application which explains the purpose and effect of the draft DCO [EN010152/APP/3.1]	d)	Where applicable, a Book of Reference	A Book of Reference [EN010152/APP/4.3] is provided and meets the requirements of DCLG's Planning Act 2008: guidance related to procedures for the compulsory acquisition of land.
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard.		Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard.

e)	A copy of any Flood Risk Assessment	A Flood Risk Assessment is provided in accordance with Regulation 5(2)(e) of the APFP Regulations at ES Volume III, Appendix 9-3: Flood Risk Assessment [EN010152/APP/6.3] .	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them	A Statutory Nuisance Statement [EN010152/APP/7.6] is provided with the Application in accordance with Regulation 5(2)(f) of the APFP Regulations.
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard.		Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard.
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	The Application is accompanied by a Statement of Reasons [EN010152/APP/4.1] and a Funding Statement [EN010152/APP/4.2] .	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; (iii) any land in relation to which it is	The Application is accompanied by the Land Plan [EN010152/APP/2.1] showing the land required and affected by the Scheme. This plan is provided in accordance with Regulation 5(2)(i) of the APFP Regulations. Plots and descriptions listed within the Book of Reference [EN010152/APP/4.3] are consistent with the plots shown on the Land Plan. There is no special category land within the Order limits so no replacement land is required.

			<p>proposed to extinguish easements, servitudes and other private rights; and</p> <p>(iv) any special category land and replacement land</p>	
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that these are a satisfactory standard.	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that these are a satisfactory standard.
j)	<p>A Works Plan showing, in relation to existing features:-</p> <p>(i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and</p> <p>(ii) the limits within which the development and works may be carried out and any limits of</p>	<p>The Application is accompanied by the Works Plan [EN010152/APP/2.2]. The Works Plan is provided in accordance with Regulation 5(2)(j) of the APFP Regulations and shows the proposed location of the Scheme and the limits within which the works are proposed to be carried out.</p>	k)	<p>Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation</p> <p>The Application is accompanied by the Streets, Rights of Way and Access Plan [EN010152/APP/2.3]. This is provided in accordance with Regulation 5(2)(k) of the APFP Regulations.</p>

	deviation provided for in the draft DCO			
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that it is of a satisfactory standard.		Is this of a satisfactory standard?
				The Planning Inspectorate can conclude that it is of a satisfactory standard.
I)	Where applicable, a plan with accompanying information identifying:- (i) any statutory or non-statutory sites or features of nature conservation eg sites of geological or landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or	The Application is accompanied by a Non-Statutory Sites or Features of Nature Conservation, and Important Habitats Plan [EN010152/APP/2.6] (there are no statutory sites of nature conservation affected by the Scheme to show on the plan) and the Waterbodies in a river basin management plan [EN010152/APP/2.8] . The assessment of the Scheme's effects on these sites and features required by this regulation are presented in ES Volume I, Chapter 8: Ecology and Chapter 9: Water Environment [EN010152/APP/6.1] .	m)	Where applicable, a plan with accompanying information identifying any statutory or non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development
				The Application is accompanied by a Statutory and non statutory historic sites plan [EN010152/APP/2.7] The assessment of the Scheme's effects on these sites and features required by this regulation is presented in ES Volume I, Chapter 7: Cultural Heritage [EN010152/APP/6.1] .

n)	bodies likely to be caused by the Proposed Development		o)		
	Is this of a satisfactory standard?	The Planning Inspectorate can conclude that these are of a satisfactory standard.		Is this of a satisfactory standard?	The Planning Inspectorate can conclude that these are of a satisfactory standard.
	Where applicable, a plan with any accompanying information identifying any Crown land	No Crown land is affected by the Scheme and therefore this is not applicable.		Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings, structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping	The Application is accompanied by the following plans and drawings provided under Regulation 5(2)(o) of the APFP Regulations 2009 (as amended): Traffic Regulation Measures Plan [EN010152/APP/2.4] Location Plan [EN010152/APP/2.5]
	Is this of a satisfactory standard?	Not applicable.		Are they of a satisfactory standard?	The Planning Inspectorate can conclude that these are of a satisfactory standard
p)	Any of the documents prescribed by Regulation	A Grid Connection Statement [EN010152/APP/7.5] accompanies the	q)	Any other documents considered necessary to support the application	Yes. The Application includes the following additional documents considered necessary to support the Application:

	6 of the APFP Regulations:	Application as required by Regulation 6 (1)(a)(i) of the APFP Regulations.			<p>Covering Letter [EN010152/APP/1.1]</p> <p>Guide to the Application [EN010152/APP/1.2]</p> <p>Electronic Index [EN010152/APP/1.5]</p> <p>Consents and Agreements Position Statement [EN010152/APP/3.3]</p> <p>Schedule of Negotiations and Powers Sought [EN010152/APP/4.4]</p> <p>Environmental Mitigation and Commitments Register [EN010152/APP/6.5]</p> <p>Planning Statement [EN010152/APP/7.1]</p> <p>Design and Access Statement [EN010152/APP/7.2]</p> <p>Statement of Need [EN010152/APP/7.3]</p> <p>Outline Design Parameters Statement [EN010152/APP/7.4]</p> <p>Statutory Nuisance Statement [EN010152/APP/7.6]</p> <p>Framework Construction Environmental Management Plan [EN010152/APP/7.7]</p>
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				<p>Framework Operational Environmental Management Plan [EN010152/APP/7.8]</p> <p>Framework Decommissioning Environmental Management Plan [EN010152/APP/7.9]</p> <p>Framework Soil Management Plan [EN010152/APP/7.10]</p> <p>Biodiversity Net Gain Assessment Report [EN010152/APP/7.11]</p> <p>No Significant Effects Report [EN010152/APP/7.12]</p> <p>Framework Public Rights of Way Management Plan [EN010152/APP/7.13]</p> <p>Framework Landscape and Ecological Management Plan [EN010152/APP/7.14]</p> <p>Framework Skills, Supply Chain and Employment Plan [EN010152/APP/7.15]</p> <p>Framework Battery Safety Management Plan [EN010152/APP/7.16]</p> <p>Framework Construction Traffic Management Plan [EN010152/APP/7.17]</p> <p>Framework Site Waste Management Plan [EN010152/APP/7.18]</p>
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				<p>Draft Archaeological Mitigation Strategy [EN010152/APP/7.19]</p> <p>Equality Impact Assessment [EN010152/APP/7.20]</p>	
	Are they of a satisfactory standard?	The Planning Inspectorate can conclude that this is of a satisfactory standard.		Are they of a satisfactory standard?	The Planning Inspectorate can conclude that these are of a satisfactory standard.
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above?				
	Not applicable.				
31	In accordance with Regulation 5(2)(g) of the APFP Regulations, is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)?		<p>Yes.</p> <p>The Applicant has prepared a No Significant Effects Report [EN010152/APP/7.12] as required by Regulation 5(2)(g) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures Regulations) and the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitat Regulations).</p> <p>The No Significant Effects Report [EN010152/APP/7.12] supports the Secretary of State with its duties under the Habitat Regulations and verifies that the Order limits do not include 'European sites' protected by the Habitat Regulations (Special Areas of Conservation and Special Protection Areas). The No Significant Effects Report [EN010152/APP/7.12] confirms that there will be no significant effects on European Sites either from the construction, operation and decommissioning of the Scheme or in combination with other plans or projects.</p>		
32	In accordance with Regulation 5(2)(r) of the APFP Regulations, if requested by the Planning Inspectorate, have two paper copies of the		The Applicant has not been requested by the Planning Inspectorate to provide hard copies of any Application document.		

	application form and other supporting documents and plans been provided?	
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance'?	Yes. The DCLG guidance 'Planning Act 2008: Application Form Guidance' has been used to prepare the Application Form [EN010152/APP/1.3] , The Applicant considers that the Application submission has been provided in the form set out by this guidance.
34	Summary - s55(3)(f) and s55(5A)	The Planning Inspectorate can conclude that the Application (including accompaniments) has been prepared to a standard that it considers satisfactory.
The Infrastructure Planning (Fees) Regulations 2010 (as amended)		
Pre-application fee		
35	Were all pre-application fees paid before the application was made? Pre-application services for which a fee can be charged is defined in Regulation 2A(8) and includes services listed within Schedule 1 of the Fees Regulations 2010. Fees for pre-application services apply to all proposed applications, from the inception meeting. These fees must be paid within 28 days of the invoice. If the applicant fails to pay the fee within 28 days, the Planning Inspectorate will not provide the applicant with any further pre-application services or take any further steps in relation to the proposed application.	Not applicable. The Applicant is not required to pay any pre application fees under Regulation 2A of the Infrastructure Planning (Fees) Regulations 2010 (as amended).
Fees to accompany an application		

36	<p>Was the fee paid at the same time that the application was made?</p> <p>The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made</p>	<p>The fee of £8,796 required to accompany the Application was paid via BACS by the Applicant on 9 October 2024 in advance of the Application submission. It was paid in advance of submission to ensure it was received before the submission date. The Planning Inspectorate confirmed via email on 21 October 2024 that the fee had been received.</p>
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Role	Electronic signature	Date
Case Manager		
Acceptance Inspector		